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DENR

IN THE NEWS

Strategic Communication and Initiative Service



DENR to LGUs: Put up affordable landfills

By RHODINA VILLANUEVA

The establishment of sanitary landfills should be affordable to ensure that more local government units (LGUs) will have their own solid waste management facility, according to Environment Secretary Roy Cimatu.

"Make the establishment and operation of a sanitary landfill simpler and less

costly without sacrificing the main objective of proper garbage disposal, which is to prevent leachate from going to waterways," Cimatu said.

He instructed Department of Environment and Natural Resources Undersecretary for Solid Waste Management and LGU Concerns Benny Antiporda to "review and revise" the implementing rules and regulations of

Republic Act 9003 or the Ecological Solid Waste Management Act "to make way for better and bigger sanitary landfills."

The putting up of sanitary landfills is mandated under RA 9003.

Cimatu lamented that only 10 percent of LGUs nationwide have sanitary landfills two decades after the law was enacted.

Cimatu said adjacent

municipalities or cities could pool their resources to establish a common sanitary landfill.

He said LGUs could avail themselves of government loans, citing what the Development Bank of the Philippines is offering under its green financing program.

Cimatu said LGUs should come up with a scheme to pay the loan, such as through the collection of tipping fees.



DENR to ease rules on sanitary landfills

BY JED MACAPAGAL

THE Department of Environment and Natural Resources (DENR) is planning to make the establishment and operation of sanitary landfills easier and less expensive.

The DENR said sanitary landfill is the waste disposal method allowed under the Ecological Solid Waste Management Act of 2000, which local government units (LGUs) are duty-bound to follow.

However, Environment Secretary Roy Cimatu said many LGUs find it difficult to comply with the law, as building and maintaining a sanitary landfill can be costly and complicated.

"Make the establishment and operation of a sanitary landfill simpler and less costly without sacrificing the main objective of proper garbage disposal, which is to prevent leachate from going to waterways," Cimatu expressed.

As part of the plan, he instructed Benny Antiporda, DENR undersecretary for solid waste management and LGU concerns, to review and revise



Bearing the cost. Adjacent municipalities and cities are urged to cluster together and pool their resources to establish a common sanitary landfill.

the Implementing Rules and Regulations of the Ecological Solid Waste Management Act of 2000 "to make way for better and bigger sanitary landfills."

At present, only 10 percent of concerned LGUs nationwide have sanitary landfills, two decades after the law was enacted, according to Cimatu.

In order to comply with the

law, he is urging adjacent municipalities and cities to cluster together and pool their resources to establish a common sanitary landfill apart from availing of government loans, particularly the one being offered by the Development Bank of the Philippines under its green financing program.

With this, LGUs can come up

with a scheme to pay back the loan, such as through collection of tipping fees, Cimatu said.

A sanitary landfill is a solid waste management facility that utilizes an engineered method of waste disposal, primarily for municipal solid waste to be processed in a manner that can protect public health and the environment.



MADALI, MURANG PARAAN SA PAGTATAYO NG SANITARY LANDFILLS NAIS NI CIMATU

NAIS ni Environment Secretary Roy A. Cimatu na magiging madali at mura ang pagpapatayo at pagpapatakbo ng sanitary landfills upang magkaroon ang local government units ng kanilang solid waste management facility lalo na ngayong lumalala ang problema sa garbage collection at disposal sa bansa.

Ang sanitary landfill ay ang waste disposal method na pinapayagan sa ilalim ng Republic Act 9003 o ang Ecological Solid Waste Management Act of 2000 na kinakailangang sundin ng mga LGUs.

Ayon kay Cimatu, ilan sa mga LGUs ang nahihirapang sumunod sa batas na ito dahil malaking gastos at kumplikado ang pagpapagawa at pagpapanatili ng sanitary landfill.

Partikular din nitong inatasan si DENR Undersecretary for Solid Waste Management and LGU Concerns Benny Antiporda na pag-aralan at rebisahing mabuti ang DENR Administrative Order 2001-34 o ang Implementing Rules and Regulations ng RA 9003 upang magkaroon ng maayos at malaking sanitary landfills.

Sinabi pa ng DENR chief na 10% lang ng LGUs sa buong bansa ang may sanitary landfills, dalawang dekada matapos ipatupad ang RA 9003.

Ang sanitary landfill ay isang solid waste management facility na gumagamit ng engineered method ng waste disposal para sa municipal solid waste. Sa "engineered method" ng landfilling, ang basura ay pino-proseso sa isang disposal facility na dinisenyo at itinayo sa paraan na mapoprotektahan ang kalusugan ng publiko at pangangalaga sa kalikasan.

Aniya, kung sakaling kapos sa budget ay maaaring magamit ng LGUs ang government loans partikular na ang ibinigay ng Development Bank of the Philippines sa ilalim ng green financing program.

Maaari aniyang mabayaran ng mga LGU ang utangin nito sa pamamagitan ng pagkolekta ng tipping fees.

Sa ginanap ding New Year's Call, sinabi ni Cimatu na ipagpapatuloy ng DENR ang mahigpit na pagpapatupad ng environmental laws, kabilang na dito ang RA 9003, Clean Air Act at Clean Water Act.

Hinikayat pa nito ang mga empleyado ng DENR na suportahan ang lahat ng environmental programs at projects ng ahensya, bureau at attached agencies nito kabilang na ang rehabilitasyon ng Manila Bay at Boracay. **JAY REYES**



EDITORIAL

Daily clean-up

THE daily clean-up at Manila's Baywalk area is most welcome as part of the government's ongoing multi-pronged rehabilitation of historic and sun-kissed Manila Bay.

Much has been achieved since the massive rehabilitation kicked off in January last year, but more needs to be done to realize the ultimate goal of making the bay fit again for swimming.

Decreed by the Department of Environment and Natural Resources (DENR) under Secretary Roy Cimatu, the clean-up must encourage other sectors to join the gigantic undertaking.

"I want DENR personnel to be out there, cleaning daily, and those with desk jobs to experience how it is to work in the field," said Cimatu, a former chief of the Armed Forces of the Philippines.

For this year, Cimatu said "I am confident that we will again prove to the Filipino people that indeed there is a department that takes care of the environment and natural resources."

Since Monday, 150 DENR employees have been deployed to the Baywalk area and Baseco beach, according to Undersecretary and Manila Bay Task Force Ground Commander Juan Miguel Cuna.

The employees are from the DENR's Forest Management Bureau (FMB) and Biodiversity Management Bureau (BMB).

Secretary Cimatu also directed the DENR-National Capital Region (NCR) and its four field offices to plan for the succeeding weeks of the daily clean-up of the Baywalk area and Baseco beach.

Hopefully, the daily clean-up will encourage other concerned government offices and agencies to strengthen their resolve to ensure the success of the ongoing rehabilitation of Manila Bay.

The undertaking is also seen to raise the cue for the private sector to pick up the ball and join the clean-up.



Evacuation plan for OFWs readied

Duterte will side with US if any Filipino gets hurt in Iran conflict

By GENALYN D. KABILING

Determined to keep Filipinos out of harm's way, President Duterte has formed a Cabinet-level committee to map out the evacuation plan for Filipinos in the Middle East in case war between the United States and Iran breaks out.

The President also deployed two emissaries to the Middle East to relay his concern about the safety of Filipinos and coordinate their evacuation in the event that the US-Iran tension escalates into an armed confrontation.

The latest presidential directives on government preparations for the possible evacuation of Filipinos were issued during the Cabinet meeting in Malacañang Monday night, according to Presidential spokesman Salvador Panelo.

"The President is gravely concerned with the condition and safety of overseas Filipino workers (OFWs) in the Middle East, particularly in Iraq, Iran, and nearby Arab countries, as a result of the escalating tension between Iran and the United States of America," Panelo said in statement.

"The Chief Executive articulated before the members

Evacuation plan...



of his official family during their 45th Cabinet meeting last night, January 6, his fear for the imminent danger that our countrymen face arising from the escalating conflict between the United States and Iran. He stressed that it is the paramount duty of the government to give protection to the Filipinos whenever their lives are in peril and wherever they are," he added.

Panelo said the new "special working committee" created by the President will be composed of Defense Secretary Delfin Lorenzana, Interior and Local Government Secretary Eduardo Año, Foreign Affairs Secretary Teodoro Locsin Jr., Transportation Secretary Arthur Tugade, and National Security Adviser Hermogenes Esperon Jr.

The new group will "draw up plans and measures for the evacuation of our countrymen."

Panelo said the President has also tasked Environment Secretary Roy Cimatu "to fly to the Middle East immediately to establish coordination with the host countries and lay the groundwork for the evacuation." Cimatu served as the President's special envoy to the Middle East prior to his appointment to the DENR.

"In a parallel move, PRRD (President Rodrigo Roa Duterte) has instructed Presidential Adviser on Overseas Filipino Workers Abdullah Mamao to proceed to Iran and Iraq today to deliver the special messages of the President of the Philippines to the Iranian and Iraqi governments on the safety of the Filipinos working in the aforesaid countries, specifically

conveying his urgent desire that no Filipinos be harmed in the course of the ongoing conflicts," he said.

The Armed Forces of the Philippines has also been directed by the President to prepare their air and naval assets for the evacuation of Filipinos in the event that an armed or military warfare between the US and Iran takes place, Panelo said.

Concerned government agencies are likewise ordered "to prepare for contingencies that will absorb displaced workers to government projects so as to prevent the economic dislocation of their families upon their return," he added.

He maintained that the safety of the Filipinos in the Middle East is "foremost in the mind of the President."

"He (Duterte) assures the Filipino community and the nation that the Philippine government is doing everything it can in making sure that our fellow citizens abroad are out of harm's way," Panelo said.

Duterte will side with US

But should any Filipino get hurt in the escalating tension in Iran, President Duterte is inclined to take the side of the United States, Malacañang declared Tuesday.

Presidential spokesman Salvador Panelo said the President would not stay neutral and sit idly by if Filipinos are put in harm's way in Iran's conflict with the United States.

"Hindi tayo magiging neutral (We will not stay neutral). The President was very specific in saying last (Monday) night that if the Filipinos





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are harmed, he will side with the Americans," Panelo said during a press conference at the Palace.

"That is precisely why he specifically instructed Secretary Mamasao to go to Iran and Iraq and deliver a special message to the Iraqi and Iranian governments of his urgent desire or wish that no Filipinos be harmed in the course of the conflict. If they will harm the Filipinos then, the President will not sit down idly and watch," he added.

Asked if the government will send Filipino troops as part of the mutual defense treaty with the US, Panelo said the matter was not discussed during the Cabinet meeting although it might have been tackled in the President's separate meeting with security officials.

"Depende (It depends) if the provisions of the agreement will be observed. But then necessarily, it will be operational," he said when asked about the deployment of Filipino soldiers to aid the United States as part of the defense pact.

NATO warns Iran

As this developed, NATO chief Jens Stoltenberg warned Monday that Iran should avoid "further violence and provocations" as tensions mount in the Middle East after US forces killed Qassem Soleimani, head of Tehran's Middle East operations as commander of the Revolutionary Guards' Quds Force.

The warning came as the EU called an extraordinary meeting of foreign ministers in Brussels on Friday to discuss the fallout from the killing of Soleimani. (With a report from AFP)



Rody: Iran must protect OFWs; US troop transit OK

By CHRISTINA MENDEZ

President Duterte has stressed the need for Iran to protect overseas Filipino workers (OFWs) in the Middle East and that he would allow the "transit" of US soldiers in the country should the tension and hostilities in Iran escalate.

"(We have the) Visiting Forces Agreement. We will continue to respect it in transit," Duterte said, referring to American troops who might use several "agreed locations" or bases in the Philippines as transit points.

"But to use the Philippines as a launching pad to fly the missiles and rockets, I do not think that... I have to stop them," he added.

He also said that his government, which has shied away from the US as it developed better relations with China and Russia, can allow US planes and

ships in the country only for refueling, but nothing more than that. "Yes, I said that's normal. We allow ships of - the gray ships of other nations to park here and get some... to get some provisions."

Duterte has ruled out for now the possibility of allowing the Philippine military to fight alongside US troops in Iran "unless the national interest would demand it" and decided by him and Congress.

On his move to call on Congress to go into special session, Duterte said he deemed it necessary to ask for authority to be able to tap certain amounts if needed to repatriate the thousands of OFWs in the Middle East.

A standby authority, he explained, would allow him to allocate and spend funds in case of emergency.

"Well, I said there's money

but you know you cannot spend it. It has to be budgeted. Only Congress can order the National Treasury to set aside a certain amount and that is not enough," he said.

He revealed that he already sent Presidential Adviser on Overseas Filipino Workers Abdullah Mamac to Iran and Iraq to send his message and to talk to the leaders about the plight of Filipino workers.

"Just to get an assurance that my countrymen will have egress in case hell breaks loose," he stressed.

Asked about the statement of presidential spokesman Salvador Pabelo that the Chief Executive would side with the Americans if Filipinos are caught in the middle of the escalation of hostilities, Duterte said "it's just a projection."

He revealed that he had discussed plans A, B and even

the worst-case scenarios with several concerned government officials, although he refused to provide details.

Pabelo earlier in the day said the President is ready to "side with the Americans" if any Filipino would be put in harm's way once violence escalates in Iran.

Last Monday, Duterte discussed with his Cabinet the contingency measures for the repatriation of OFWs as well as other plans during the 45th Cabinet meeting, which followed his initial meeting with members of the security cluster.

Pabelo said the President stressed that it is the paramount duty of government to give protection to Filipinos whenever their lives are in peril and wherever they are.

Duterte has also ordered the Armed Forces of the Philippines (AFP) to prepare their air and

naval assets in case the OFWs need to be evacuated.

The President created a special working committee composed of the secretaries of national defense and of the interior and local government, the national security adviser, as well as the secretaries of foreign affairs, labor and employment and of transportation, to draw up plans and measures for OFW evacuation.

Pabelo said the Chief Executive expressed his concern over the safety and security of Filipinos who may be affected by the escalating tension in the Middle East.

Immediate Iraq evacuation

Environment Secretary Roy Cimatu, also the special envoy to the Middle East, said he has recommended the "immediate evacuation" of Filipinos in Iraq

amid escalating tensions.

"We are looking at the possible retaliation by Iraqis against US forces and the threats to Filipinos. We are not combatants, we are not part of the problem," he said, noting there are Filipinos near or around US facilities.

Cimatu is part of the team that will leave for the Middle East tomorrow to assist OFWs that might be affected by the brewing conflict.

He was also tasked to coordinate with the host countries and lay the groundwork for an evacuation.

"I will do my best to do another mission for our country, to bring Filipinos out of harm's way. We need to make individual plans in each country (where there are Filipinos) that may be affected by the tensions," Cimatu also said. - With Rhodina Villanueva, Pia Lee-Bravo



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PLANNING OF W EVACUATION

PRESIDENT URGED TO CONVENE SECURITY COUNCIL BEFORE CALLING SPECIAL SESSION

By Leila B. Salaverria
@LeilasINQ

Sen. Richard Gordon on Tuesday urged President Duterte to convene the National Security Council and map out a plan to bring home more than 1 million Filipinos in the Middle East before calling a special session of Congress to fund the emergency repatriation in case a full-blown war breaks out after the United States killed Iran's top military commander last week.

"When you ask for a budget, you have to present us with a plan on how you're going to spend it. That's why it's important that we have the National Security Council prepare the parameters on how that money is going to be spent," Gordon said at the Pandalan Forum in Quezon City.

Standby fund

"To obviate long debates, they should present already a plan of action, a structure, a strategy, so that we can make decisions properly," he added.

Mr. Duterte on Monday

said he wanted a standby fund worth "billions" for the repatriation of overseas Filipino workers and urged Congress to hold a special session for discussion of the rising tensions in the Middle East.

Tehran has warned of "severe retaliation" for last Friday's drone attack that killed Gen. Qassem Soleimani, head of Iran's elite Quds Force.

In response, US President Donald Trump said the US military was ready to blast 52 targets in Iran.

Gordon said one thing the government would have to decide was whether to borrow aircraft from commercial carriers, noting that the Philippines only had three C-130 planes that were operational.

Defense Secretary Delfin Lorenzana on Tuesday said the government had two C-130 aircraft, two ships and one C-295 plane ready "to ferry those who want to come home."

Repatriating more than 1 million Filipinos would be a massive undertaking, Gordon said

But Environment Secretary Roy Cimatu, who was ordered by the President to prepare the groundwork for possible repatriation, indicated that his immediate concern was a relatively small number of Filipinos working at US-run facilities in Iraq, which Iran might target. "We are estimating about a thousand Filipinos, but we will have to check because many remain uncounted," he said.

Cimatu, who had served as special envoy to the Middle East under the Arroyo administration, said he would establish a base in Qatar for the repatriation work.

He had also recommended to the President raising the alert in Iraq to level 4, which means forced evacuation. It was still alert level 3 on Tuesday, signaling voluntary repatriation.

Special committee

Mr. Duterte met with defense officials in Malacañang on Sunday night and ordered the military to prepare its assets for evacuating Filipinos in

the Middle East.

On Monday night, he created a special Cabinet committee that would draw up the evacuation plans should hostilities erupt. It included Lorenzana, Interior Secretary Eduardo Año, National Security Adviser Hermogenes Esperon Jr., Foreign Secretary Teodoro Locsin Jr., Labor Secretary Silvestre Bello III and Transportation Secretary Arthur Tugade.

"Will not be neutral"

Presidential spokesperson Salvador Panelo on Tuesday said Manila, a Washington ally, "will not be neutral" if Filipinos were harmed.

"The President was very specific in saying last night that if the Filipinos are harmed, he will side with the Americans," Panelo said.

"If they (Iranians) will harm the Filipinos, then the President will not sit down idly and watch," he added, without elaborating.

He said Mr. Duterte sent presidential adviser on migrant

workers Abdullah Mamac to Iran and Iraq to "deliver a special message to the Iraqi and Iranian governments of his urgent desire and wish that no Filipinos be harmed in the course of the conflict."

But Panelo said the President would not take a position on Soleimani's assassination.

"That's the fight between the Americans and the Iranians. Foremost in the President's mind is the safety of our countrymen. That's his only concern," he said.

Lorenzana said there were 6,600 overseas Filipino workers in Iraq and 1,100 in Iran, most of whom were married to Iranians.

He said one problem was convincing Filipinos to return home, especially if they were offered double their salaries, as what the Libyan government did during a crisis in that country several years ago.

Other senators said they were open to a special session and believed Congress would approve a supplemental budget for repatriation without delay.

Congress is on recess and would resume sessions on Jan. 20.

Lawmakers preparing

Majority Leader Juan Miguel Zubiri said the Senate was prepared to act on the President's request and could meet any time.

Sen. Sonny Angara, who chairs the finance committee, said a supplemental budget had to originate from the House of Representatives.

Speaker Alan Peter Cayetano has asked the House secretariat to prepare for a special session, according to House Majority Leader Martin Romualdez.

But he added that as of Tuesday, there was no formal Malacañang request to hold a special session.

Romualdez agreed with the President that the safety of Filipinos in the region was "our primordial concern." —WITH REPORTS FROM JHESSET O. ENANO, JEANETTE LANDRADE, JULIE M. AURELIO AND DJ YAP



Duterte sends ex-envoy to MidEast as gov't prepares to evacuate Pinoys

BY JOCELYN MONTEMAYOR and VICTOR REYES

PRESIDENT Duterte is sending Environment Secretary Roy Cimatu to the Middle East to establish coordination with countries hosting Filipino workers and to lay the groundwork for their possible

evacuation amid escalating tension between the United States and Iran.

Duterte issued the order on Monday night during a Cabinet meeting, Chief Presidential Legal Counsel Salvador Panelo said yesterday.

Cimatu, a former chief of the Armed Forces, served as special envoy to the Middle East under

the Arroyo administration after his retirement. In 2004 as a special envoy, he secured the release of a Filipino truck driver kidnapped by Iraqi insurgents.

Cimatu, in a media conference yesterday, said he recommended to

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the President a mandatory evacuation of Filipinos from Iraq, the raising of the alert level in Iraq from 3 (repatriation is voluntary) to 4 which means mandatory evacuation.

Cimatu said Filipinos should be moved out of Iraq immediately because it is a potential target due to the presence of some US facilities in Baghdad.

Asked how the President reacted, he said Duterte allowed him to decide.

Cimatu said he plans to fly to Qatar within 48 hours.

He also said that he plans to evacuate Filipinos to Saudi Arabia using a Philippine Coast Guard vessel that is now in Malta.

He said there would be separate evacuation plans for every country in the Middle East.

Defense Secretary Delfin Lorenzana said the government is considering the chartering cruise ships for the repatriation of Filipinos from Iraq and Iran.

Lorenzana has been designated by President Duterte as chairman of a committee that will study how to evacuate the Filipinos in those areas.

Lorenzana said the military has prepared aircraft and ships to fetch the Filipinos. However, these assets are needed in addressing internal and external security threats.

"We should not be thrifty to ensure the safety of our people. One of the suggestions that came out last night (Cabinet meeting Monday night) was if there are many who want to go home, let's hire cruise ships," he said.

About 2.3 million Filipinos are working in the Middle East as domestic helpers, construction workers, engineers, and nurses. There are about 6,000 Filipinos in Iraq and 1,100 Filipinos in Iran who are mostly married to Iranians.

Lorenzana said the foreign affairs department is coordinating with the Philippine embassy in

Baghdad to determine who wants to come home.

"Cruise ships are big and can accommodate about 3,500 to 4,000 people ... Two cruise ships would do provided these Filipinos would like to come home," he said.

Another option, Lorenzana said, is to transfer the Filipinos to a "peaceful area."

"They can go to Saudi Arabia or to Oman which is a little bit far from the battlefield and then from there, we can bring them home," he said.

President Duterte, in a chance interview yesterday afternoon, reiterated his concerns for Filipinos in the Middle East.

He also said that should war ensue, the Philippines would abide by Mutual Defense Treaty with the US.

He, however, said personally he does not favor the sending of Filipino troops to conflict areas abroad.

"Out of the question, unless the national interest would demand it and it would be decided not by me, but me and Congress," the President said.

Duterte said what he would allow is allowing the Philippines to be used for transit of vessels, for refueling, and delivery of provisions.

COMMITTEE

Panelo, concurrent presidential spokesman, said the President also directed Presidential Adviser on Overseas Filipino Workers Abdullah Mamaro to go to Iran and Iraq to deliver the "special messages of the President of the Philippines" to the Iranian and Iraqi governments, which is to ensure the safety of the Filipinos there and that "no Filipino be harmed in the course of the ongoing conflicts".

Panelo said the Duterte also formed a special working committee composed of the National Security Adviser (Hermogenes Esperon) and the secretaries of the defense,

interior, foreign affairs, labor, and transportation departments.

"The President is gravely concerned with the condition and safety of overseas Filipino workers in the Middle East, particularly in Iraq, Iran and nearby Arab countries, as a result of the escalating tension between Iran and the United States of America ... Foremost in the mind of the President is the safety of Filipinos in the Middle East and he assures the Filipino community and the nation that the Philippine government is doing everything it can in making sure that our fellow citizens abroad are out of harm's way," he said.

On Sunday, Duterte convened his security and defense officials following the growing tensions in the Middle East arising from drone attack by the US that resulted in the death of a top Iranian general Qasem Soleimani.

The President has asked the military to place its assets on standby in case of a forced evacuation and repatriation.

Panelo said if Filipinos are harmed, Duterte will side with the US.

"The President was very specific in saying last night (Monday night) that if the Filipinos are harmed, he will side with the Americans. That is precisely why he is specifically instructed Secretary Mamaro to go to Iran and Iraq and deliver special message to the Iraqi and Iranian government of his urgent desire and wish that no Filipinos be harmed in the course of the conflict. If they will harm the Filipinos, then the President will not sit down idly and watch," he said.

The House of Representatives is ready to accede to President Duterte's request for Congress to convene in a special session to help map out contingency plans related to the ongoing tension in the Middle East, House majority leader Martin Romualdez said.

Romualdez said that as of yesterday, the House was still awaiting for Malacañang's formal communication to the House since lawmakers will need guidance "on what is expected of

Congress during the special session."

"While waiting for the Palace communication, Speaker Alan Peter Cayetano has already asked the House secretariat to make the necessary preparations for a special session," he said.

Under Section 87, Rule XI of the House Rules, "The Speaker, in consultation with the majority and minority leaders and their Senate counterparts, may convene the House in session at any time during a recess or between sessions to consider urgent legislative matters or concerns."

Romualdez said the House leadership agrees with the President's pronouncement that the rising tension in the Middle East "is a major concern that needs urgent legislative attention."

"We are ready to clothe the executive with all the powers needed to make sure that every Filipino is safe and secure in these trying times. We join the nation in praying for safety of Filipino OFWs deployed in the Middle East and in other parts of the world. Their safety is our primordial concern at the moment," he said.

President Duterte asked Congress to hold a special session to discuss the impact of the tension between the US and Iran, including the setting aside of funds that will be tapped in case the situation in the Middle East worsens.

Senate President Vicente Sotto III yesterday said the Senate will still have to take the final cue from President Duterte on whether a special session will be held to approve a supplemental budget for the repatriation.

Senate majority leader Juan Miguel Zubiri said Duterte can use "the billions of pesos of contingency funds" at the Overseas Workers Welfare Administration.

"Those funds are readily available for these emergencies," he said.

Congress went on break on Dec. 20, 2019 and will resume regular sessions on January 20. — With Wendell Vigilia and Raymond Africa



PH to send troops to Gulf region if national interest demands it

Speaking to reporters on Tuesday, President Rodrigo Duterte said Philippine troops would only be deployed to the Gulf region if the national interest calls for it.

“[It’s] out of the question. Unless the national interest would demand it and it will be decided not by me but me and Congress,” he answered reporters in Malacañang when asked about the possibility of Filipino troops joining in the escalating conflict between the United States and Iran.

The President said the Philippines would continue to honor its defense ties with the US by allowing American troops to get provisions here such as fuel.

“But to use the Philippines as a

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PH to send

launching pad to fly the missiles and the rockets, I do not think [so]. I have to stop,” he added.

Also in Malacanang, the President’s spokesman, Salvador Panelo, said the President was inclined to take the side of the US if any Filipino was “harmed” in the standoff with Iran.

Duterte, according to Panelo, “will not sit down idly” and will undoubtedly support the US against Iran, which he earlier said is “hell-bent” on seeking revenge against its enemy.

The Philippines and the US are bound by the Mutual Defense Treaty, which states that both countries would assist each other when either was attacked by a foreign force.

But the President, has ordered the mapping out of an emergency evacuation plan for Filipinos in the Middle East amid the rising tensions in the region.

Panelo also on Tuesday said Duterte,

during a Cabinet meeting in Malacañang on Monday, tasked Environment Secretary Roy Cimatu, his former special envoy to the Middle East, to fly to the region immediately to lay the “groundwork” for the evacuation of the hundreds of thousands of Filipinos in the conflict areas.

He added that the President also directed presidential adviser on overseas Filipino workers Abdullah Mamao to head to Iran and Iraq on Tuesday to talk to the governments there.

Panelo said a new “special working committee” created by the President will be composed of Defense Secretary Delfin Lorenzana, Interior Secretary Eduardo Año, Foreign Affairs Secretary Teodoro Locsin Jr., Transportation Secretary Arthur Tugade and National Security Adviser Hermogenes Esperon Jr.

The new group will “draw up plans and measures for the evacuation of our countrymen,” he added.

In a news conference also on Tuesday, Cimatu said he had recommended to the President a mandatory evacuation of Filipinos from Iraq.

“The... best way for the moment is to leave Iran immediately,” he added.

According to government data, about 1.26 million OFWs in 2018 are in the Middle East or West Asia, which includes Bahrain, Israel, Jordan, Kuwait, Lebanon, Saudi Arabia, Qatar and United Arab Emirates.

Senate Majority Leader Juan Miguel Zubiri said the Senate was ready to hold a special session to address Duterte’s concerns on the situation of OFWs in the Middle East.

Sen. Richard Gordon urged the President to convene the National Security Council for an “action plan” to repatriate the OFWs in the Middle East.

In the House of the Representatives, Majority Leader Martin Romualdez said they would accede to Duterte’s call on Congress to convene in a special session to tackle contingency measures.

**CATHERINE S. VALENTE,
EIREENE JAIREE GOMEZ, BERNA-
DETTE E. TAMAYO, FRANZ LEWIN
EMBUDO, DIVINA NOVA JOY DELA
CRUZ AND DARWIN PESCO**



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Cimatu to lead OFW evacuation in Iraq

DEPARTMENT of Environment and Natural Resources (DENR) Secretary Roy Cimatu will be leading the forced evacuation of all Filipinos working in Iraq amid the escalating tension between the United States and Iran.

In yesterday's press conference, Cimatu said President Rodrigo Duterte has directed him to lead the forced evacuation of more than a thousand Filipinos in Iraq.

Cimatu, who was the former AFP chief of staff

and former Special Envoy to the Middle East during the Iraq war in 2003, said Duterte ordered him to do the task in view of his experience while he was the special envoy.

The DENR chief added that he gave his personal opinion and informed Duterte of his personal experience what happened during the 2003 Iraq war.

"I asked the President, 'what should I do in order to save or put out of harm's way of the Filipinos there?'" said Cimatu.

Duterte further disclosed that within 48 hours, he will be leaving for Qatar where he and his delegates will be establishing their base before they will enter Iraq.

Cimatu said that the more a thousand Filipinos to be evacuated from Iraq are those working in some American installations or working within these establishments which are considered as "hot spots."

"I will do my best to do another mission for the country," said Cimatu.

Cory Martinez



January 8, 2002
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Forced evacuation sa Iraq kasado na

Ipinatataas na sa Alert Level 4 ni Special Envoy to the Middle East Roy Cimatu kay Pangulong Rodrigo Duterte ang paghahanda kaugnay ng namumuong tensyon sa rehiyon.

Kapag naitaas na sa Alert Level 4, ito ay nangangahulugan na gagawin nang puwersahan ang paglilikas sa mga overseas Filipino worker na posibleng maipit sa sandaling sumiklab ang giyera.

Sa ngayon ay nasa Alert Level 3 sa Iraq na ang ibig sabihin ay voluntary repatriation ang ipatutupad.

Sa kaniyang pagharap sa media sa central office ng Department of Environment and Natural Resources, ipinakita pa ni Cimatu ang akda niyang aklat na may pamagat na 'Out of harm's way' na nagdedetalye ng ginawa niyang evacuation plan nang saku-pin ng US ang Iraq.

Ayon kay Cimatu, iba ang sitwasyon ngayon kumpara noong pabagsakin si Saddam Hussein dahil sa posibilidad ng retaliation o ganting atake ng mga puwersang sumisimpatiya sa Iran.

Kaya't ang tututukan aniya ng evacuation plan ay ang lahat ng 'hotspots' sa rehiyon partikular ang mga bansa na malalapit sa mga American installation.

Kabilang sa posibleng gamitin sa pagbiyahe sa mga ililikas na Pinoy ay coastguard vessel katulad ng nakakadaong sa Malta at mga C-130 plane ng AFP. (Dolly Cabreza)



STRATEGIC
COMMUNICATION
INITIATIVES
SERVICE



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NWRB to increase water allocation from Angat Dam

By RAMON EFREN LAZARO

MALOLOS – Residents of Metro Manila can expect a respite from low water pressure or water rationing at least this month.

The National Water Resources Board will increase its allocation for Metro Manila consumers and irrigation of farms in Bulacan and Pampanga due to the increase in the water level in Angat Dam, according to Sevillo David Jr., NWRB executive

director.

David said allocation for the Metropolitan Waterworks and Sewerage System would be adjusted to 42 cubic meters per second while water for irrigation would be adjusted to 20 cms this month.

Angat Dam supplies 97

percent of Metro Manila's water needs. The normal allocation is 46 cms.

For irrigation purposes, the normal allocation is 30 cms.

David said the NWRB board met on Monday and discussed the improving water elevation in Angat Dam.

Monitoring by the Bulacan provincial disaster risk reduction and management office showed that as of 8 a.m. yesterday, the water level in the dam was at 204.39

meters.

David said it is still below its ideal mark of 212 meters, but an increase of 2.79 meters has been recorded since Dec. 31.

The increase was attributed to monsoon rains since Friday.

David said the allocation for Metro Manila consumers as well as irrigation of farms would be adjusted again if the water level in Angat Dam would continue to rise.

Duterte to water firms: Accept new pacts or else...

BY JOCELYN MONTEMAYOR

WATER concessionaires Maynilad and Manila Water have two choices if they want to keep their contracts: accept new drafts prepared by state lawyers, or pack up and let government take over the distribution of water in Metro Manila.

"I have this draft, it's either you accept it or not. You do not accept it? Then there is no contract," President Duterte said yesterday in an interview in Malacañang.

Duterte said the draft contracts will be provided to the two water utility companies for their consideration.

"(It) is a draft which we would like to be enforced instead of the old one, which we think is not good for the Filipino," Duterte said, reiterating that he considers the old contracts as "null and void" because they contained provisions that violated the Anti-Graft and Corrupt Practices Act and other laws.

Duterte warned the two firms that if they refuse the new contracts, the government will cancel their existing concessions and take over the operations of the water utilities, as well as proceed with the prosecution of government officials and private individuals involved in the crafting

of the 1997 contracts.

"It's either they accept with no guarantee that they will not be prosecuted, or if they do not accept it, then I will nationalize the water system and prosecute them for plunder or estafa on a large scale," he said.

The President said even if Maynilad and Manila Water agree to the terms of the proposed drafts, this will not absolve them of possible criminal or administration liabilities should the government decide to take future legal actions in connection with the crafting of the old agreements.

Chief Presidential Legal Counsel Salvador Panelo, concurrent presidential spokesman, said the Office of the Solicitor General (OSG) and the Department of Justice (DOJ) have finished the revision of the onerous provisions contained in the original water deals inked during the Ramos administration.

The draft new contracts were presented during Monday's Cabinet meeting. Copies of the drafts, however, were not immediately made available to the media.

Panelo said the two water firms have

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WATER

been given the option to decide whether or not to accept the terms of the new contracts.

"The new water contracts to supplant the constitutionally-flawed water concessionaire agreements that violated every prohibited act in the anti-graft law... The President stressed that water is a God-given natural resource which cannot be treated as a mere commercial commodity and exploited to rake in billions of pesos in profits at the expense of the Filipino people. As President, he cannot keep a blind eye to this colossal rip off," Panelo said.

Panelo echoed Duterte's warning that if Maynilad and Manila Water reject the drafts, the government will scrap their existing deals and take over the operations of water utilities.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people," he said.

Panelo added: "The Chief Executive is giving the water concessionaires the option of accepting the new contracts without any guarantee of not being criminally prosecuted together with those who conspired to craft the very onerous contracts which are void ab initio for violating the Constitution and the laws of the land."

President Duterte ordered the

drafting of new water agreements after the DOJ discovered "onerous" provisions in the old deals that were "disadvantageous" to the government and the country.

The questionable provisions highlighted by state lawyers include the prohibition against government interference in rate-setting and on indemnity for possible losses in the event of such government interference.

The government action came after the two water utility firms won separate arbitration cases in Singapore against the government and were awarded more than P10 billion in compensation for losses.

Justice Secretary Menardo Guevarra, in a message to the media, said the draft contracts have yet to be finalized since financial aspects of the agreements have yet to be discussed with finance officials.

Manila Water and Maynilad did not immediately respond to requests for comment.

The market cheered the news that the two firms will be allowed to continue to operate if they adhered to the government's conditions.

Manila Water, which fell as much as 73 percent and lost as much as \$556 million in market value last month, rallied nearly 15 percent on Tuesday after the announcement, while parent firm Ayala Corp, which shed up to \$875 million in market capitalization, gained 1.5 percent.

Maynilad owners Metro Pacific Investments Corp and DMCI Holdings Inc., rose 3.2 percent and 3.9 percent, respectively, on Tuesday. The two firms collectively lost as much as \$1.45 billion in market value

after Duterte's criticism.

Last month, the state water regulator Metropolitan Waterworks and Sewerage System cancelled a 15-year extension of the water utilities' concession after pressure from Malacañang. The existing concessions will expire in 2022.

KALIWA DAM

Amid criticisms on Duterte's orders to fast-track the development of Kaliwa Dam, the MWSS yesterday said the "much needed" project's environmental impacts will only be "minimal".

In a statement, the regulatory body noted that its consultations with indigenous peoples (IPs) of the provinces of Quezon and Rizal reached a positive outcome last month when they adopted a resolution of consent for the project.

"This stage, which is one of the several stages in the Free Prior and Informed Consent process shows, that the IPs are able to conduct their own independent and collective discussions and decision-making in an environment where they did not feel intimidated, and where they had sufficient time to discuss in their culturally appropriate way, matters affecting their rights, livelihoods, knowledge, traditions, governance systems, natural resources," MWSS said.

The agency also reiterated that the construction of the Kaliwa Dam is crucial in order to provide a sufficient water source for Metro Manila in the coming years since the capacity of the Angat reservoir and some other smaller sources will already

be scarce between 2020 and 2025.

"Taking into account a supply buffer of 15 percent, the Angat supply capacity will be insufficient before 2020. These numbers illustrate the need for a large water supply source. The events since March 2019 has only confirmed said projections," the MWSS said.

Despite the intentions to complete the project the soonest, MWSS assured that it will still "exert extraordinary diligence imposed by law and remain cautious under all circumstances in the conduct of its business affairs in addressing the urgent need to develop a new water source for Metro Manila."

Notably, the Kaliwa Dam will be constructed in the towns of Teresa and Tanay in Rizal province and General Nakar and Infanta in Quezon province. It will involve the development of a 60-meter tall dam with a riverbed elevation of 100 meters with a reservoir surface area of 291 hectares and a full supply level volume of 57 million cubic meters.

It also has a P12.2 billion project cost wherein 85 percent will be funded by China via official development assistance and the remaining 15 percent by the Philippine government. Last October, the Department of Environment and Natural Resources already granted it an environmental compliance certificate.

Earlier, west zone concessionaire, Maynilad Water has expressed support for the development of Kaliwa Dam, citing that it is "a viable long-term solution to the supply shortage that has been affecting residents of Metro Manila."



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Sign deal or we take over

BY CATHERINE S. VALENTE

PRESIDENT Rodrigo Duterte has threatened Manila Water Co. Inc. and Maynilad Water Services Inc. to accept a new draft of water contracts or the government will terminate their concession deals and take over their water distribution services.

Speaking to reporters in Malacañang on Tuesday, Duterte said the government had readied the "draft" to replace "onerous" water concession deals.

► Deal A2

■ DEAL FROM A1

Sign deal or we take over

"There is no contract. What we are ready to give to the parties, the distributors, is a draft, which we would like to be enforced instead of the old one, which we think is not good for the Filipino," he added during a media interview.

The President said the existing water concession contracts were "null and void from the beginning" because of many provisions that violate penal laws of the Philippines, particularly the Anti-Graft and Corrupt Practices Act.

"I said that is not my problem. I have this draft, it's either you accept it or not. You do not accept it? Then there is no contract," Duterte added.

"I will have to operate the distribution system. It's either they accept with no guarantee that they will not be prosecuted or if they do not accept it, then I will nationalize the water system and prosecute them for plunder or estafa on a large scale," he said.

Earlier in the day, Palace spokesman Salvador Panelo said Duterte was giving Maynilad and Manila Water the "option" to accept the "new" deals without the onerous provisions.

Duterte, according to him, reached the decision after the new water contracts prepared by the Office of the Solicitor General and the Department of Justice were presented during a Cabinet meeting in Malacañang on Monday.

"The Chief Executive is giving the water concessionaires the option of accepting the new contracts without any guarantee of [them] not being criminally prosecuted together with those who conspired to craft the very onerous contracts, which are void *ab initio* for violating the Constitution and the laws of the land," Panelo said during a Palace news briefing.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts,

mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people," he added.

Panelo, also the Malacañang chief legal counsel, said Duterte "cannot keep a blind eye to this colossal rip-off."

"Serving and protecting the interest of the Filipino people is the underlying principle that forms the basis of the President's governance. All his acts since his assumption to the presidency were — and are — geared toward this end," he added.

"The President stressed that water is a God-given natural resource, which can not be treated as a mere commercial commodity and exploited to rake in billions of pesos in profits at the expense of the Filipino people," Panelo said.

The Palace official noted the "constitutionally flawed" concession agreements "violated every prohibited act under the anti-graft law."

"The Filipinos have lost enormously with the unabated collections by these concessionaires despite the latter's dismal performance in supplying, delivering and distributing water," Panelo said.

"As the President previously uttered in righteous indignation and outrage to them: 'If you will not give justice to the Filipino people, I will get it for them.' There is a time for reckoning. That time has come," he added.

The Metropolitan Waterworks and Sewerage System (MWSS) earlier revoked the extension of the water companies' concession deals after Duterte threatened to file "economic sabotage" and economic plunder charges against Maynilad and Manila Water.

The President had claimed that Filipinos were "milked by billions" because of the two firms' onerous water concession contracts with the government.



Reacting to Duterte's tirades and threats, both the Pangilinan-led Maynilad and Ayala-owned Manila Water said they would no longer collect P10.8 billion in compensation that a Singapore-based arbitration court had ordered the Philippine government to pay the distributors.

The Permanent Court of Arbitration in Singapore ordered the Philippine government to pay P7.3 billion to Manila Water for its losses.

In 2017, the tribunal also ordered the government to pay Maynilad P3.4 billion for not allowing the company to raise rates.

The 25-year water concession agreements were signed in 1997 during the term of President Fidel Ramos and extended in 2009 by the administration of President Gloria Macapagal Arroyo until 2037.

Amid the improvement in Angat Dam's water level, customers of Manila Water and Maynilad have continued to experience little to no water supply given the limited allocation to the MWSS.

Normal raw water volume given to the two concessionaires is 46 cubic meters (m3).

Also on Tuesday, the top official of the National Water Resources Board (NWRB) announced that the agency had increased raw water allocation from Angat Dam, Metro Manila's main source of water supply.

"With the slight improvement in Angat water level... [the] NWRB will increase allocation for the MWSS at 42 [m3 per second] for water supply in Metro Manila and adjacent municipalities/cities of Bulacan and Rizal," Sevillo David Jr., NWRB executive director, told *The Manila Times*.

David noted that Angat's water level, which stood at 204.38 meters as of Tuesday, remained below their desired water level of 212 meters to meet water supply and irrigation requirements in Metro Manila.

The allocation to the National Irrigation Administration was also raised to 20 m3 to meet irrigation requirements in Bulacan and Pampanga for this month, he said.

Meanwhile, the MWSS said issues surrounding construction of Kaliwa Dam had been addressed.

"The social and environmental impacts of the stand alone Kaliwa Dam project [are] minimal. Even as there are risks which [are] usual to any construction project, mitigation measures and safeguards have been put in place," the agency said in a statement also on Tuesday.

The MWSS clarified that only the Kaliwa Dam project would be undertaken given the safety issues raised in an integrated Kaliwa + Laiban Dam System, a project originally proposed in 2013.

Moreover, consultations with indigenous peoples (IPs) of Quezon and Rizal have reached a positive outcome on Dec. 9 and 17, 2019 when the IPs and indigenous cultural communities of these two provinces adopted a resolution of consent or *Resolusyon ng Pagpayag* to the project.

"This stage, which is one of the several stages in the Free Prior and Informed Consent (FPIC) process, shows that the IPs are able to conduct their own independent and collective discussions and decision-making in an environment where they did not feel intimidated, and where they had sufficient time to discuss in their culturally appropriate way, matters affecting their rights, livelihoods, knowledge, traditions, governance systems, natural resources," the MWSS said.

The resolution also signified that the agency complied with the FPIC framework and that rights of the IPs are being respected by ensuring that the latter understood all of the implications of the Kaliwa project before giving their consent.

Kaliwa Dam, one of the projects in the agency's pipeline that is expected to provide an additional 600 million liters per day, is meant not only to bridge the demand-supply deficit gap, but also reduce dependence on the Angat Dam.

Some groups have opposed the Kaliwa Dam project, saying it would displace IPs and flood vast areas.

**WITH REPORT FROM
JORDEENE B. LAGARE**



PDU30 sa water concessionaires: "take it or leave it" sa bagong deal

GINISA sa ririling mantika ni Pangulong Rodrigo Roa Duterte ang mga water concessionaire na Maynilad at Manila Water makaraang bigyan ng opsyon para mapanatiling hawak ang operasyon ng suplay ng tubig sa bansa.

Ang Presidential spokesperson Salvador Panelo, kabilang sa opsyon ng Pangulo ay ang tanggapin ng water concessionaires ang bagong kontrata na walang garantiya na hindi maki-criminally prosecuted ang mga ito kasama ang iba pang kasabwat sa paggawa ng onerous contracts na para sa pamahalaan ay "void ab initio" dahil sa paglabag sa Konstitusyon at batas ng bansa.

Kung tatanggihan aniya ng

Maynilad at Manila Water ang bagong kontrata ay agad na ipag-uutos ng Pangulo ang kanselasyon ng kasalukuyang water contracts at i-mandato ang nationalization ng water services sa kani-kaniang areas of operation at liti-sin ang lahat ng sangkot magiging ito man ay direkta o hindi direktang sangkot sa pag-aayos ng kontrata na nagresulta ng pagdurusa ng sambayang Filipino.

Ang pagtanggapin rin aniya sa bagong kontrata ay magbibigay ng go signal sa pamahalaan para isakdal ang mga opisyal ng 2 water firms at mga indibidwal na may kamay sa paglikha at pagbuo ng 1997 contracts.

Subalit sakali naman aniya na tanggapin ng mga ito

ang bagong kontrata ay hindi naman magagarantiya na maaabsuwelto ang Maynilad at Manila Water sa posibleng kasong isasampa laban sa kanila.

Wala namang ibinigay na deadline ang Malakanyang sa magiging desisyon ng Manila Water at Maynilad sa pagtanggapin nila o hindi ng bagong kontrata.

Ang Manila Water ay bahagi ng Ayala group of companies, habang ang Maynilad ay jointly owned ng DMCI Holdings Inc at Metro Pacific Investments Corp sa pamumuno ng negosyanteng si Manny Pangilinan.

Sa kabilang dako, wala namang balak si Pangulong Duterte na makipagpulong sa mga taong gumawa ng 1997



Banta ni Duterte kapag 'di tinanggap ang bagong kontrata

MILITARY TAKEOVER SA WATER FIRMS

NAG-ALOK si Pangulong Rodrigo Duterte sa water firms Maynilad at Manila Water ng bagong concession agreements na hindi naglalaman ng mga probisyon na makasama sa gobyerno at sa publiko.

SUNDAN SA PAHINAG



Banta ni Duterte kapag 'di tinanggap ang bagong kontrata

MILITARY TAKEOVER SA WATER FIRMS

Mula sa pahina 1

Ayon kay Duterte, dapat tanggapin ng dalawang water firms ang bagong kasunduan dahil kung hindi ay iutos niya ang military takeover sa operasyon ng dalawang water utilities.

Suhalit kahit tanggapin ng dalawang water concessionaires ang bagong kasunduan ay wala aniyang katiyakan na makakatakas ang mga ito sa pag-uusig.

"I cannot stop anyone, especially a Filipino and a consumer of water, to file any case to damages or anything," anang Pangulo.

"Wala akong pakialam diyan I leave it to anybody's choice to run after or not to run after."

Ayon kay Presidential Spokesperson Salvador Panelo, ang usapin sa 22-year-old water concession agreements ay masusing tinalakay sa Cabinet meeting noong Lunes ng gabi.

Aniya, inilaag ng Office of the Solicitor General (OSG) at ng Department of Justice (DOJ) ang bagong kontrata sa Gabinete.

"The Chief Executive is giving the water concessionaires the option of accepting the

new contracts without any guarantee of not being criminally prosecuted together with those who conspired to craft the very onerous contracts which are void ab initio for violating the Constitution and the laws of the land," wika ni Panelo.

"The terms will be very, very different in this one," ani Panelo. "There is a time for reckoning. That time has come."

Dagdag pa ni Panelo, iginiti ng Pangulo sa Cabinet meeting na hindi dapat ma-exploit ang tubig para makakuha ng bilyon-bilyong

pisong halaga mula sa mga consumer.

"The President stressed that water is a God-given natural resource which cannot be treated as a mere commercial commodity and exploited to rake in billions of pesos in profits at the expense of the Filipino people," aniya.

Sinabi pa ng opisyal na hindi kaya ng Pangulo na magbulag-bulagan sa anomalya sa nasabing kontrata at nananatiling prinsipyo ng administrasyong Duterte na protektahan ang interes ng mga Filipino.

"Serving and protecting the interest of



the Filipino people is the underlying principle that forms the basis

of the President's governance. All his acts since his assumption

to the presidency were - and are - geared toward this end." PMRT.



DU30 offers water firms new deal

PRESIDENT Rodrigo Duterte has offered a new water-distribution agreement with Maynilad and Manila Water, but there is a catch.

Should the two water firms reject the new deals, their existing concessions will be cancelled and the government will take over water services in the country.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services

in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people," Presidential Spokesperson Salvador Panelo said in yesterday's briefing.

Panelo was referring to the new agreement that will replace what Duterte calls "onerous agreements" made by the two water firms with the government under past administrations.

The spokesperson added that the issue was "extensively discussed" dur-

ing Duterte's meeting with his Cabinet members on Monday night.

The Office of the Solicitor General and the Department of Justice presented the new contracts to the Cabinet.

"Wala pang takeover (there is no takeover yet). That's still constitutional. But the government can take over public facilities in case of a national emergency," he said.

"The terms will be very, very different in this one," Panelo said. "There is a time for reckoning. That time has come."

The Duterte administra-

tion's warning of a government takeover on water services has gone as far back as early as October last year amid the ongoing water crisis in Metro Manila and other areas under the jurisdiction of Maynilad and Manila Water.

An international tribunal had ordered the Philippine government to pay Manila Water P7.4 billion in losses stemming from rejected water rate hikes back in 2015. In a similar case in 2017, the government was ordered to reimburse P3.4 billion for Maynilad's losses.

Efren Montano



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TIME FOR RECKONING

Duterte offers water firms new deal

By Efen Montano

PRESIDENT Rodrigo Duterte has offered a new water-distribution agreement to Maynilad and Manila Water.

However, there is a consequence for water firms should they reject it — their existing concessions will be cancelled and the government will take over the water services in

the country.

"Wala pang takeover (there is no takeover yet). The terms will be very, very different in this one," Presidential Spokesperson Salvador Panelo said in yesterday's briefing. "There is a time for reckoning. That time has come."

He said should Maynilad and Manila Water

refuse to accept the new agreement, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people.

Panelo was referring to the new agreement that will replace what Duterte calls "onerous agreements" made by the two water firms with the government under past administrations.

The Duterte administration's warning of a government takeover on water services has gone far

back as early as October last year amid the ongoing water crisis in Metro Manila and other areas under the jurisdiction of Maynilad and Manila Water.

An international tribunal had ordered the Philippine government to pay Manila Water P7.4 billion in losses stemming from rejected water rate hikes back in 2015. In a similar case in 2017, the government was ordered to reimburse P3.4 billion for Maynilad's losses.

But in December, the two water firms said they will no longer demand payment from the government arising from their arbitral tribunal win, after Duterte threatened to sue them.



WATER FIRMS WARNED: ACCEPT NEW DEAL OR ELSE

PRESIDENT Duterte warned Maynilad and Manila Water to accept the new contracts without the "onerous" provisions or get their water contracts canceled, Malacañang said Tuesday. >>PAGE 2

>>PAGE 1: WATER FIRMS WARNED: ACCEPT NEW DEAL

Palace spokesman Salvador Panelo, however, noted there is no guarantee that the water concessionaires will not be prosecuted for crafting the original contracts.

"The Chief Executive is giving the water concessionaires the option of accepting the new contracts without any guarantee of not being criminally prosecuted together with those who conspired to craft the very onerous contracts which are void ab initio for violating the Constitution and the laws of the land," Panelo said in a press briefing.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino peo-

ple," he added.

During the Cabinet meeting Monday night, Panelo said the President pointed out how water should not be "exploited" to rake billions at the expense of its consumers.

"The President stressed that water is a God-given natural resource which can not be treated as a mere commercial commodity and exploited to rake in billions of pesos in profits at the expense of the Filipino people. As President, he can not keep a blind eye to this colossal rip off," Panelo said.

Duterte had earlier slammed Maynilad and Manila Water for supposedly milking billions from the people and the government over the disadvantageous 1997 water contract.

The President also previously threatened to sue the water firms due to the "onerous" provisions of its contract with the government.

Among these "onerous" provisions, Duterte

said, were the prohibition against government interference in rate-setting and the provisions on indemnification for possible losses in the event of such interference.

"The Filipinos have lost enormously with the unabated collections by these concessionaires despite the latter's dismal performance in supplying, delivering and distributing water. As the President previously uttered in righteous indignation and outrage to them: 'If you will not give justice to the Filipino people, I will get it for them,'" Panelo said.

Crafted by the Office of the Solicitor General and the Department of Justice, Panelo said the new water contract was meant to replace the "flawed water concessionaires agreements that violated every prohibited act in the anti-graft law."

"We are still in the process of consolidating a new draft. We'll have to integrate the inputs of the DOF on the financial and



Bagong kontrata sa tubig, iprinisinta ng gobyerno

Nina GENALYN D. KABILING at BETH D. CAMIA

Nagbanta si Pangulong Rodrigo Duterte na kakanselahin ang mga kontrata ng gobyerno sa dalawang Metro Manila water concessionaires, ipag-utos ang nationalization ng kanilang water distribution operations, at parusahan ang mga sangkot sa diumano'y irregular deals kapag hindi nila tinanggap ang bagong kontrata.

Nagdesisyon ang Pangulo na tugunan ang kontrobersiya sa tubig kasunod ng pagprisinta ng pamahalaan ng bagong concession contracts sa Cabinet meeting sa Malacañang nitong Lunes.

Sinabi ni Presidential Spokesman Salvador Panelo na bumuo ng bagong kontrata ang pamahalaan na kanila lamang ibibigay sa sa Maynilad at Manila Water kapalit ng umiiral na water deals na itinuturing na maanomalya at kuwestyunable.

Ang panukalang water deals [that will] "supplant the constitutionally flawed water concessionaires agreements that violated every prohibited act in the anti-graft law" ay inihanda ng Office of

the Solicitor General at ng Department of Justice, ayon kay Panelo.

May dalawang opsyon ang Maynilad at Manila Water. Una ay tanggapin ang nasabing kontrata na inalis na ang mga owner rules o mga kuwestyunableng probisyon at kasabay noon ay walang kasiguruhan na sila ay hindi mahaharap sa kasong kriminal kaugnay sa papalitan nitong ginagamit na water concession agreement.

"The Chief Executive is giving the water concessionaires the option of accepting the new contracts without any guarantee of not being criminally prosecuted together with those who conspired to craft the very onerous contracts which are void ab initio for violating the Constitution and the laws of the land," ani Panelo sa Palace press briefing.

Sakaling hindi ito tatanggapin ng dalawang kumpanya, maghanda na ang Maynilad at Manila Water-dahil itutuloy ng pamahalaan ang plano nitong nationalization na ang ibig sabihin

ay kukunin na mg pamahalaan ang pagpapatakbo at pamahahagi ng tubig sa Metro Manila at karatig lalawigan at tuloy pa rin ang pagkakaso sa mga nasa likod ng mga kinukuwestyong kontrata sa tubig.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people," aniya.

Ipinaliwanag ni Panelo na ang desisyon ng Pangulo sa isyu sa tubig ay nagmula sa kanyang mandato na pagsilbihan at protektahan ang interes ng mamamayan.

Kahit na ang water contracts ay itinuturing na void sa simula pa lamang, nilinaw ni Panelo na obligado pa rin ang water consumers na i-honor ang payment para sa water services.



Duterte sa Maynilad, Manila Water: Bagong kontrata or nothing

BINIGYAN kahapon ni Pangulong Rodrigo Duterte ang Manila Water at Maynilad ng mga opsyon ukol sa water concession agreements.

Sa inilabas na pahayag, sinabi ni Presidential spokesman Salvador Panelo na binigyan ng

opsyon ang dalawang water concessionaires na tanggapin ang bagong kontrata.

Gayunpaman, sakaling tanggapin ang bagong kontrata, sinabi ni Panelo na wala paring katiyakan na hindi sila sasampahan ng kaso bunsod ng

naunang kontrata.

"The Chief Executive is giving the water concessionaires the option of accepting the new contracts without any guarantee of not being criminally prosecuted together with those who conspired to craft the very onerous contracts which are void ab initio for violating the Constitution and the laws of the land," ayon kay Panelo.

Kung hindi man tanggapin ang bagong kontrata, sinabi ni Panelo na

kakanselahin ang nagpatuloy na concession agreements.

"Should Maynilad and Manila Water refuse to accept the new agreements, the Chief Executive will order the cancellation of their present water contracts, mandate the nationalization of water services in their respective areas of operation and prosecute all those involved, directly or indirectly, in the arrangement that led to the present suffering of the Filipino people," ani Panelo.

Dagdag pa nito, iginiit ng pangulo sa Cabinet meeting na hindi dapat ma-exploit ang tubig para makakuha ng bilyun-bilyong pisong halaga mula sa mga konsyumer.

Ipinunto rin, aniya, ng pangulo na ang tubig ay isang natural resource na ibinigay ng Panginoon kung kaya't hindi ito dapat itrato bilang "mere commercial commodity."

Dagdag pa ni Panelo, nanatiling prinsipyo ng administrasyong Duterte na protektahan ang interes ng mga Filipino. (Vanz Fernandez)



Strict standards upheld on foreign loans: DOF

THE Philippine government continues to uphold strict standards in its foreign loan deals for the government's "Build, Build, Build" infrastructure program, according to the Department of Finance (DOF).

Mark Dennis Joven, DOF undersecretary, made this assurance yesterday in response to the statement of Deputy Minority Leader and Bayan Muna Rep. Carlos Isagani Zarate that the loan agreements for the Kaliwa Dam and Chico River Pump Irrigation Projects contain "onerous" provisions and thus, like the Metropolitan Waterworks and Sewerage System concession agreements, should be reviewed by Malacañang.

Joven said the basic structure of the water concession agreements, which are essentially public-private partnership contracts, is very different from the official development assistance (ODA) financing agreements entered into by the government with countries such as China, Japan, France and Korea which are covered by international law.

"There is also a difference when it comes to the parties to these agreements," he said in a statement.

The water concession agreements refer to the Philippine government vis-à-vis Filipino corporations, while ODA financing agreements are between the Philippines and other sovereign entities such as countries and multilateral lenders like the World Bank and Asian Development Bank.

"We have had long public discussions on this matter already. We published all the loan agreements we have signed for the 'Build, Build, Build' flagship infrastructure projects on our website last year. We once again encourage the critics to closely scrutinize the documents for themselves in order for us to have an accurate conversation about the matter," Joven said.

Joven noted six main considerations for loan agreements and financing flagship infrastructure projects.

"First, these projects are Filipino projects. The Philippine government chose these projects because they are crucial in achieving more comfortable lives for Filipinos," Joven said.

Before getting approved for implementation, these projects went through a rigorous vetting

See STRICT ► Page A2

STRICT

process and were found to have high economic rates of return, he added.

"This means that the project's benefits far outweigh the costs. They are worth pursuing, even if we have to borrow money now because the Filipino people will benefit greatly from them," he said.

Second, Joven said the country borrows from other countries to take advantage of concessional, or cheaper, financing.

"The interest rates offered by foreign countries are way lower than anything the private sector can offer. Borrowing at lower interest rates means having to pay less for the loans and thereby freeing up more government resources for other productive investments," Joven said.

"Third, although we will find that the loan agreements for the Kaliwa Dam and Chico River Pump Irrigation Projects do contain confidentiality clauses, they are accompanied by specific provisions stating that the agreements may be released in accordance with any Philippine law. The Philippine Constitution mandates disclosure of information relating to foreign loans," he also said.

This point is further supported by Executive Order No. 2 series of 2016, issued by President Duterte

to operationalize full public disclosure and transparency enshrined in our Constitution, he added.

"That is why the DOF unilaterally released copies of the loan agreements online," Joven said.

Fourth, Joven said anyone who closely reviews the loan agreements with China will find that the provisions are standard across loan agreements with other lenders.

"For example, the choice of governing law in the interpretation of the loan agreement is often the law of the lender, as seen in our loan agreements with China, Japan, Korea and France, even during past administrations. There is nothing unusual with this provision, as it is found in loan agreements with several countries," Joven said.

"To further explain, these choice of law provisions are essential to international agreements with a commercial nature because of the presence of a foreign element. On the other hand, this is not necessary in the case of a water concession contract, which is governed by domestic law," he added.

For his fifth point, Joven said the choice of arbitration venue and arbitration rules are negotiated on a per-loan agreement basis.

"Should a country default on its loan - which is near impossible for the Philippines, given its strong

macroeconomic fundamentals - then the lender may choose to bring the borrower to arbitration," he said.

"Sometimes, the arbitration venue is in the country of the lender, which was the case in some loan agreements signed in the past," he added.

Examples, he said, would be the loan agreements signed by the Arroyo administration with China in 2010 for the Angat aqueduct, the Aquino administration with France in 2015 for the Cebu Bus Rapid Transit, and the Duterte administration with China in 2018 for the Chico River Pump Irrigation Project.

"Sometimes, the arbitration venue is in a third country, as in the case of the most recently signed loan agreement with China for the Project Management Consultancy for the PNR South Long Haul Project. The arbitration venue stated in that loan agreement is Singapore," Joven said.

"However, regardless of the venue of arbitration, the usual international arbitration rules apply, such as the nomination of three impartial arbitrators from among hundreds of arbitrators from Europe, US, Latin America, and other countries like Singapore and the Philippines," he added.

Joven said should the arbitration process commence, the Philippines will select one person from the list of arbitrators, the lending country will select another, and the third member of the tribunal will be jointly selected.

"In the worst case, for any arbitral award to be enforced, it needs to be brought before a Philippine court, which would measure the validity of the award against our own internal laws and Philippine public policy," he said.

For his final point, Joven said the Philippines is managing its debt, both local and foreign, responsibly.

"The Philippine government negotiates very hard for favorable terms. The country's debt-to-GDP (gross domestic product) ratio, which is a measure of how much debt we have against the size of our economy and our ability to pay, has declined on the back of a healthy growing economy," he said.

Joven pointed out as of the second quarter of 2019, it stands at 37.6 percent, from as high as 74.4 percent in the early 2000s.

"Moreover, our country's credit rating was upgraded to 'BBB+' last year by Standard & Poor's. This rating is the highest in our history and signals international confidence in our economy and the country's ability to pay its debts," Joven said.



EDITORIAL

ISABANSA ANG TUBIG

NAGBANTA si Pangulong Rodrigo Duterte na kukumpiskahin at isabansa nito ang operasyon ng sistema sa tubig kung hindi papayag ang mga konsesyonaryo na baguhin ang mga kontrata sa programa sa tubig sa kasalukuyan.

Matatandaang pumalag ang pamahalaang Duterte sa desisyon ng Arbitration Court sa Singapore na magbayad ang pamahalaan sa Maynilad at Manila Water ng mahigit P11 bilion bilang parusa sa pamahalaan at pagbawi ng mga konsesyonaryo sa umano'y nawalang kita nila nang pigilan silang magtaas ng presyo ng tubig sa nakaraang administrasyon.

Ayon sa Pangulo, nagagawa ng dalawang konsesyonaryo ang gusto nila laban sa pamahalaan mismo at mamamayan dahil sa mga kontratang pabor lamang sa mga ito.

Kabilang sa mga nilalaman ng kontrata ang kawalang-kapangyarihan ng pamahalaan na makialam sa pagpepresyo ng tubig at pagbabayad nito ng anomang pagkalugi ng mga kompanya kung makikialam ito.

Sinabi ng Pangulo na dahil sa makaisangpanig o mapagsamantalang probisyon ng kontrata, magsasampa ito ng mga kaukulang kaso, kabilang na ang economic sabotage.

Kasama ng Maynilad at Manila Water ang masasampahan ng kaso at kabilang na rin dito ang mga abogado, may-ari ng mga ito at mga opisyal ng pamahalaan na nakipagkutsabahan sa madayang kontrata.

Dapat lang na isabansa ng pamahalaan ang operasyon ng tubig kung lalabas na puro pagsasamantala ang ginagawa ng mga may-ari ng mga kompanya at labis nang nabibiktima ang mga mamamayan at pamahalaan na parehong konsumidor ng tubig.



Parañaque bans single-use plastic

Starting in June, the Parañaque City government will prohibit establishments from using single-use plastic for all dry goods.

Parañaque followed Makati, Pasig, Muntinlupa, Las Piñas, Pasay and Quezon City in banning or regulating single-use plastics.

Boy Mojica of the city environment and natural resources office said yesterday Ordinance 18-40 will help alleviate the problem of plastic always ending up in drainages, waterways and rivers.

The ban covers plastic bags, straws, spoons and forks, cups and stirrers as well as polystyrene plates, cups, bowls and serving trays.

"No business establish-

ment such as shops, restaurants, hotels, fast food chains, bars, food stalls, mobile food carts, food caterings and other establishments shall use styrofoam, plastic bags and single-use plastics containers including plastic straws and stirrers for their food and beverages," the ordinance read.

Under the measure, only manufacturers in the city will be allowed to use such plastics for packaging, but supermarkets and public market vendors will be asked to use biodegradable plastic.

Violators will be fined P5,000 for every offense. On the third offense, violators will be shut down and their business license revoked for one year.

- Ralph Edwin Villanueva

Not all trade is good — the case of plastics waste



UNITED NATIONS PHOTO
BY ALEXEY KRAVCHENKO

BANGKOK, Thailand: Currently, approximately 300 million tons of oil-based plastic waste are produced every year. A significant amount of plastic waste ends up in the oceans, having a detrimental effect on marine ecosystems and coastal communities. Most of this waste originates from the Asia-Pacific region.

If unaddressed, by 2050 there could be more plastic than fish in the oceans.

Recognizing the problem, the 2030 Agenda for Sustainable Development addresses plastic pollution in the ocean. It is widely acknowledged that regulating single-use plastics and microplastics is a major component in achieving this target.

An increasing number of countries in the Asia-Pacific region and across the world are now introducing regulations addressing consumption, production and trade in single-use plastics and plastic waste.

Perhaps the most stringent recent example of addressing single-use plastics is in Kenya, where, since August 2017, producing, selling or even using plastic bags can result in four years in prison or a fine of up to \$40,000.

Prior to the ban, plastics were ubiquitous on the streets, and 3 out of 10 animals in abattoirs were found to have plastics in their stomachs.

Eight months after, the number has gone down to 1 in 10, and the streets are much cleaner. This, however, came at a significant cost — it was estimated that up to 60,000 jobs were lost as a result — Kenya was a major plastic producer and exporter.

Highlighting the need for regional cooperation, illegal imports from neighboring countries began to emerge, and the Government of Kenya is urging its neighbors to institute similar bans.

While many developed countries remain better at ensuring that plastics and other waste do not end up in waterways through adequate refuse collection mechanisms and littering fines, recycling remains an issue. This was seemingly addressed through exporting waste plastic for recycling to other countries, most significantly to China.

Since 1992, China imported almost half of the world's plastic waste for recycling.

However, recognizing the negative effect these imports were having on its environment and air quality, in 2018, the government of China banned the importation of plastic waste.

Over the coming decades, as much as 111 million tons of plastic will have to find a new place to be processed or otherwise disposed of as a result of China's ban.

The ban led exporters to seek other markets, and exports of plastic waste to other countries in the region, such as India, Indonesia, Malaysia and Thailand have skyrocketed.

Expectedly, this resulted in deteriorating environmental situations in the recipient countries and generated backlash: following China's example, both Malaysia and Thailand have since banned the import of plastic waste.

Recognizing the damaging effect of trade in plastic waste, on May 11, 2019, a total of 180 governments adopted an amendment to the Basel Convention to include plastic waste in a legally-binding framework that will make global trade in plastic waste more transparent and better regulated, while also ensuring that its management is safer for human health and

According to this agreement, exporting countries will now have to obtain consent from countries receiving contaminated, mixed or unrecyclable plastic waste.

Such trade regulations are commonly referred to as non-tariff measures (NTMs) — policy measures other than tariffs that can potentially have an economic effect on international trade in goods.

During the past two decades, while applied tariffs in the Asia-Pacific region have been halved, the number of NTMs has risen significantly. NTMs often serve legitimate and important public policy objectives, but their trade costs are estimated to be more than double that of ordinary customs tariffs.

As such, they have become a key concern for traders as well as for trade policymakers aiming to ensure that trade can continue to support sustainable development.

This year's Asia-Pacific Trade and Investment Report by Economic and Social Commission for Asia and the Pacific and the United Nations Conference on Trade and Development provides an overview of NTM trends and developments in Asia and the Pacific. It explores how NTMs relate to the Sustainable Development Goals and points to the importance of aligning NTMs with international standards as one way to bring down trade costs of NTMs, as well as of strengthening regional cooperation and streamlining and digitalizing compliance procedures. **IPS**

Alexey Kravchenko is Associate Economic Affairs officer of the Trade, Investment and Innovation Division at the Economic and Social Commission for Asia and the Pacific (ESCAP).



Editorial

Plastics, ibawal na sa buong bansa

Noong Enero 1, 2020, sinimulan ng Quezon City ang pagbabawal sa paggamit ng single-use plastic. Ang QC ang kauna-unahang lungsod sa Metro Manila na nagpasa ng ordinansa na nagbabawal sa single-use plastics. Hindi na pinapayagan sa lungsod ang paggamit ng plastics at kabilang dito ang mga supot at shopping bags na ginagamit sa mga supermarket. Sabi ni QC Mayor Joy Belmonte, kabilang din sa ipagbabawal ay paggamit ng utensils na gawa sa plastic, katulad ng mga straws, foils at wrappers ng pagkain. Ayon kay Belmonte, dalawang ordinansa ang ipinasa noong nakaraang Oktubre na nagbabawal sa single-use plastics.

Maganda ang hakbang na ito ng Quezon City.



Kailangan ay may isang lungsod na manguna para ipagbawal ang single-use plastics. Kung walang magsisimula, patuloy ang paggamit ng plastics at wala nang katapusan ang pagbaha sa Metro Manila at pagkasira ng kapaligiran. Lahat ng mga plastics na itinaon, kabilang ang sachet ng 3-in-1 coffee, catsup, shampoo, toothpaste at marami pa ay bumabara sa mga drainage at tumatagal doon dahil hindi nabubulok ang mga ito. Forever ang problema sa mga single-use plastics. Napakamakabuluhan ang hakbang na ito ni Belmonte. Dito magsisimula ang paglaya ng lungsod sa paggamit ng plastic.

Noong nakaraang Nobyembre 2019, sinabi ni President Duterte sa isang Cabinet meeting na pinag-iisipan niya kung ipagbabawal ang paggamit ng plastic. Sana ipag-utos niya ang pagbabawal sa paggamit ng plastics.

Ayon sa environmental groups tinatayang 59.7 bilyong sachets ang umaapaw sa mga estero sa Metro Manila. Malulunod ang mga residente sa basurang plastic sachets. Hindi lamang pagbaha ang dulot ng mga basurang plastic kundi banta rin ang mga ito sa buhay ng mga lamandagat. Dahil sa maling pagtatapon ng basurang plastic, humahantong sa dagat at nakakain ng mga balyena. Ilang balyena na ang sumadsad sa dalampasigan at namatay. Nang buksan ang kanilang tiyan, nakita sa bituka ang mga plastic na basura na kanilang ikinamatay.

Magkaroon ng ordinansa ang bawat lungsod na nagbabawal sa single-use plastic. Tularan ang Quezon City na unang lumaban sa paggamit ng plastic.



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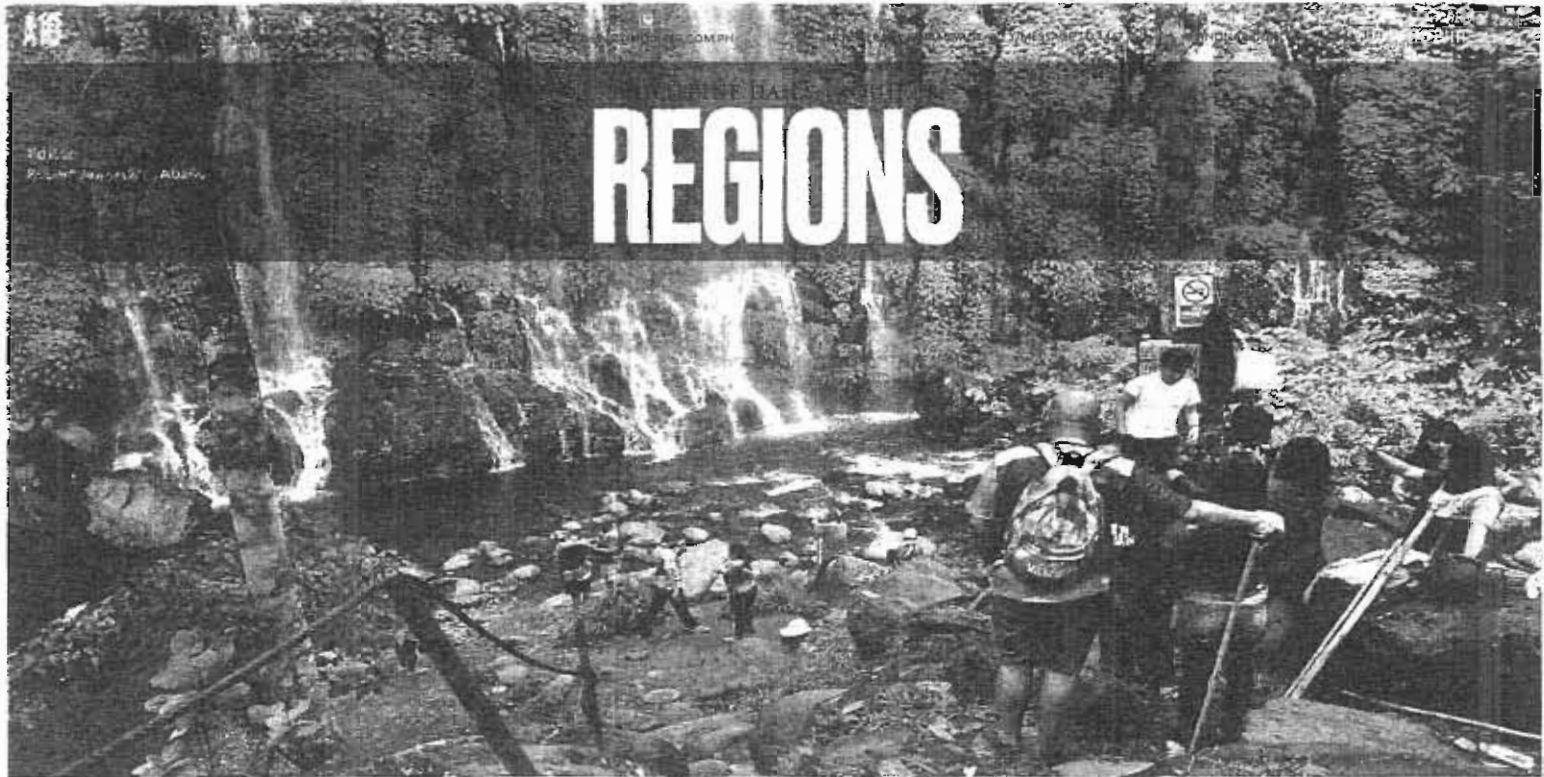
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NATURE'S WONDER A team from the Mines and Geosciences Bureau visits Asik-Asik Falls in Alamada, Cotabato, as the agency pushes its conservation and protection for scientific, educational and ecotourism purposes. —PHOTO COURTESY OF MGB REGION 12

POTENTIAL ECOTOURISM DESTINATION

MGB BACKS DECLARATION OF COTABATO WATERFALLS AS 'GEOLOGICAL MONUMENT'

COTABATO CITY—The Mines and Geosciences Bureau (MGB) has endorsed the declaration of Asik-Asik Falls in Alamada, Cotabato province, as a national geological monument, citing the need to preserve the area's unique natural features.

Felizardo Gacad Jr., MGB director in Soccsksargen (South Cotabato, Cotabato, Sultan Kudarat, Sarangani and General Santos) region, said an MGB

team visited the site on Dec. 11 and its members were awed by what looked like the winding stairway wrapping around the mountainside of Alamada's Sitio Dulao in Barangay Upper Dado.

Lush greenery

The falls is on the lower slopes of Mt. Ragang, also called Mt. Piapayungan or Blue Mountain, near Cotabato's boundary with Lanao del Sur province.

Gacad, in a statement, said a portion of the falls could be seen from afar but it was only after his team descended that they finally got to see the majesty of the falls, with its lush greenery covering the entire landscape.

He said a comprehensive scientific report presenting the unique geology of the area had been submitted to the National Committee on Geological Sciences to support its declaration as a

national geological monument.

Geological monuments are sites that show outstanding features or earth processes considered by geologists as worthy of conservation.

A study was conducted in late 2018 to establish a detailed geologic interpretation of the evolution of Asik-Asik landscape. It involved geomorphological investigations, geophysical studies and laboratory

analyses of rock samples gathered from the site and its vicinity, the MGB statement said.

Understanding, appreciation

The MGB regional office also signed a memorandum of agreement with Sagittarius Mines Inc., which funded the P1-million geologic study of Asik-Asik Falls.

"MGB [Region] 12 is fully supporting efforts to make the geologic site as a national geo-

logical monument because it will focus on enriching understanding and appreciation of a geological phenomenon," the statement said.

"It will also promote scientific and educational purposes as well as a potential ecotourism destination to benefit the local government and the people of Alamada and the country as a whole," it added. —EDWIN O. FERNANDEZ/INQ



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THE MINDANAO UNIVERSITY OF SCIENCE AND TECHNOLOGY
MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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Bushfires in Australia, floods in Indonesia

It is the middle of the cold winter in the northern hemisphere and the middle of the hot summer in the southern hemisphere. This may explain the bushfires that have been raging for days in southeastern Australia, some 6,000 kilometers southeast of the Philippines.

At least 24 people have been reported dead in fires that have now destroyed over 5.9 million hectares and some 1,300 homes in six states, mostly in New South Wales, the country's most populous state. In comparison, last year's forest fires in California destroyed about 404,680 hectares.

While the traditional fireworks welcomed the New Year in Sydney Harbor, fires were destroying hundreds of thousands of homes to the south. Prime Minister Scott Morrison, who had been seen on TV watching the fireworks, received an angry welcome when he visited the town of Cobargo in New South Wales the next day.

Between the Philippines and Australia, a disaster of another kind has hit Indonesia. The death toll in Jakarta and surrounding areas rose to 30 the day after New Year, while tens of thousands of people lost their homes in floods and landslides. The heavy rainfall is expected to last to mid-February. President Joko Widodo has already announced plans to move the capital of Indonesia from Jakarta, which he said is sinking, to East Kalimantan province on Borneo island.

We have fires in Australia because of the extreme heat, but floods in neighboring Indonesia because of heavy rains. We can only surmise that such disparate and extreme weather conditions must be related to the climate change which scientists have long been warning against.

The world's temperature has been steadily rising for years, due to the rise of carbon dioxide and other factory emissions in the world's industrial economies. The polar ice has been melting, ocean levels have been rising, and typhoons and hurricanes have become more powerful and destructive.

In 2015, 195 nations of the world adopted a global climate pact committing every nation to reduce its greenhouse emissions, to contribute to a goal of limiting the rise in world temperature to below 2 degrees Celsius above pre-industrial levels. Unfortunately, the United States, the world's biggest producer of carbon emissions, withdrew from the agreement as President Trump called climate change a "hoax."

The other big sources of carbon emissions in the world today are China, Russia, Germany, United Kingdom, Japan, India, France, Canada, and Poland. They all have national commitments to the agreement drawn up at the Paris conference of the United Nations Framework Convention on Climate Change.

The Philippines and most of the world's nations are minor contributors to these carbon emissions, but we stand by our commitment as stated in a Philippine Statement submitted to the UN by then Secretary Ramon Paje of the Department of Environment and Natural Resources pledging to pursue government programs and strategies for greater renewable energy and green growth.

We must carry on with our commitments and hope that all the other nations of the world acknowledge their part in the effort to mitigate climate change which, we believe, is behind the increasing number of extreme weather changes such as the bushfires in Australia and the floods in Indonesia.



TITLE:

BINUTATA ng Supreme Court ang pag-iingay ng mga miyembro ng Lesbian, Gay, Bisexual, Transgender, Queer at iba pang kauri nila para makasal sila nang ligal sa Pilipinas.

Kinuwestiyon sa SC ni Jesus Nicardo Falcis III, lantad na bading na abogado, ang ligalidad at pagiging Constitutional ng probisyon ng Family Code na nagsasabing lalaki at babae ang pupwedeng ikasal.

Sabi ng Executive Order No. 209 na pina-labas noon ni dating Pangulong Corazon Aquino noong Hulyo 6, 1987, at inamyendahan ng EO 227 noong Hulyo 17, 1987 din sa Article 1, "1. Marriage is a special contract of permanent union between a man and a woman entered into in accordance with law for the establishment of conjugal and family life.

Walang sinasabing pwedeng ikasal ang babae at babae at lalaki at lalaki at ninalis ni Falcis na ideklarang iligal at labag sa Konstitusyon ito.

'DI TALAGA PWEDE

Sa kanyang 109 pahinang desisyon, sinabi ng sumulat ng desisyon o ponente na si Associate Justice Marvic Leonen na sa Konstitusyon, walang sinasabi o may pagbabawal ukol sa pag-aasawa base sa sex, kasarian o gender, sexual orientation o gender identity.

Pero sa Family Code, malinaw na lalaki at babae lang ang pupwedeng ikasal.

Kaya naman, dahil ligal ang Family Code, kailangan itong isangguni sa Kongreso para sa pagbabagong nais na kamtin nina Falcis at mga miyembro ng LGBTQ+.

May mga punto pang iba gaya ng paglabag ni Falcis at mga kasama niya sa normal na kalakaran ng pagsasampa ng kaso ngunit hindi nila ginawa ito.

Hindi nila idinaan muna, halimbawa, ang kaso sa mababang hukuman gaya ng Regional Trial Court bilang pasimula.

Hindi rin nag-aplay mismo si Falcis para sa pag-aasawa kaya walang anomang karapatang nalabag sa kanya at kung ganoon ay wala



SAME SEX MARRIAGE BINUTATA NG HUKUMAN

siyang basehan para magsampa ng reklamo sa korte.

BEKI, TOMBOY PWEDENG KALASAN

Tama lang talaga na ang Kongreso ang aksyon para magkaroon ang mga LGBTQ+ ng sinasabi nilang karapatan nila sa pag-aasawa.

At lalong dapat silang kikilos dahil hindi lang naman ang Article 1, ang problema nila.

Maging ang Article 45, paragraph 5 na nagsasaad ng basehan o grounds para sa pagpapawalambisa o annulment makaraan silang ikasal ay problema nila.

Sabi ng Article 5, Par. 5, "One or the other party was physically incapable of consummating the marriage, and such incapacity continues and appears to be incurable. The filing of the Petition of Annulment must be filed within five (5) years after the marriage.

Karaniwang inilulutang sa mga kaso, gamit ang probisyong ito, ang pagiging beki o tomboy ng mga ikinasal at lalaki lang ang gustong beki habang babae lang ang gusto ng tomboy at hindi 'yun pinakasalan nilang lalaki o babae.

Dahil ayaw o nandidiri, walang nagaganap na sex at basehan ito ng annulment.

Sa legal separation naman, napakalinaw ang probisyon ng Family Code na nagsasabing pupwedeng makipaghiwalay o magkaroon ng legal separation ang mag-asawa dahil sa kabaklaan at katomboyan.

Heto ang sinasabi ng Article 55, Paragraph 6.

Art. 55. A petition for legal separation may be filed on any of the following grounds:

(6) Lesbianism or homosexuality of the respondent.

IN SOME OTHER WAY

Ayon sa desisyon, possible ang pag-aasawa "in some other way."

Sa ibang paraan, gaya ng pagpupursige para makamit ang ligal na pag-aasawa sa loob ng bansa.

Ang ginagawa naman ng iba, pumupunta sila sa ibang bansa na may same-sex marriage at doon sila nagpapakasal.

Pero problema pa rin dahil sa pagiging Filipino nilang dalawa, kahit saan sila mapadpad, batas pa rin ng mahal kong Pinas ang pailralin sa kanila.

Ibang usapan na kung dayuhan ang pakakasalan nila at ang dayuhan ay sakop ng dayuhang batas na kumikilalang ligal ang same-sex marriage.

Magiging ligal na ang kasal at maaaring mapairal din ang divorce na iligal sa Pinas kung diniborsyo siya ng dayuhan.

Nakapagpapakasal ang mga Pinoy LGBTI+ sa abroad dahil sa papel na dala-dala nila gaya ng mga sumusunod"

1. Certificate of Legal Capacity to Contract Marriage;

2. Certificate of No Record of Marriage (CENOMAR) na inisyu ng National Statistics Office na may patunay mula sa Department of Foreign Affairs.

KONTRA HIV-AIDS?

Sabi nila, pangontra umano sa paglaganap ng Human Immuno Virus at Acquired Immuno-Deficiency Syndrome ang same sex marriage.

Nakababahala kasi sa Pinas ang ulat na 70 porsyento ng HIV-AIDS ay galing sa same-sex, lalo na sa pagitan ng mga lalaki at lalaki.

Hmmm. Ewan natin. Tanungin ninyo si Bro. Eddie Villanueva o ang mga kapatid na Muslim.

Anomang reaksyon o reklamo, maaaring ipa-rating sa 0922840-3333 o i-email sa bantiporda@yahoo.com.



Republic of the Philippines
Department of Environment
and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. 929-6626 to 29; 929-6633 to 35
929-7041 to 43; 929-6252; 929-1669
Website: <http://www.denr.gov.ph/>
E-mail: web@denr.gov.ph

DENR ADMINISTRATIVE ORDER NO. ___ S. 2019

OBJECT : RATIONALIZING DREDGING ACTIVITIES IN THE HEAVILY-SILTED RIVER CHANNELS WITHIN THE PROVINCE OF NEGROS OCCIDENTAL PURSUANT TO THE DENR-DPWH-DILG-DOTR JOINT MEMORANDUM CIRCULAR NO. 1 SERIES OF 2019

Pursuant to Section 2, Article XII of the 1987 Constitution, the Department's mandate under Executive Order No. 292 or the Administrative Code of the Philippines, and Section 5.4 of DENR-DPWH-DILG-DOTR Joint Memorandum Circular No. 2019-01, in order to protect and properly manage the disposition of sand as well as restore the natural state and water flow of the heavily-silted river channels in the Province of Negros Occidental, the following guidelines are hereby prescribed:

I.

GENERAL PROVISIONS

Section 1. Coverage. This Order shall cover the implementation of the DENR River Restoration thru Dredging Activities as embodied in Section 5.4 of the DENR-DPWH-DILG DOTR Joint Memorandum Circular No. 2019-01 in the heavily-silted river channels in the Province of Negros Occidental.

Section 2. Scope of Operations. In order to open up the heavily-silted river channels of Negros Occidental, areas starting from the coastline of river deltas extending all the way upstream, as may be determined by the provincial Government in accordance with the DPWH Dredging Master Plan, are hereby declared exclusive River Dredging Zones (RDZ). Only dredging activities shall be allowed within the RDZ, quarrying is strictly prohibited.

Section 3. Rationale and Objectives

a) The flow of materials and sediment from the upland that flank the major river systems thereby causing its aggradation became the long-term direct culprit of massive flooding in the various barangays and municipalities of the province of Negros Occidental.

b) It is necessary to protect and properly manage the utilization of the sand and gravel in heavily-silted river channels within the Province of Negros Occidental, to improve the water flow, ensure the integrity of the various protective dikes and infrastructures, thereby reduce risks to lives and properties.

c) In order to restore the natural state and water flow of the heavily-silted river channels and improve its hydraulic capacity thereby eliminate flooding, large-scale dredging and desilting operations, based on a comprehensive dredging plan, must be implemented.

Section 4. Declaration of Policies

a) The exclusive authority of the province to issue permit to extract sand and gravel and other quarry resources, pursuant to the ordinance of the anggang Panglawaigan, under Republic Act No. 7160 is covered by Section 5.4 of JMC 2019-01 or the Dredging with Commercial Utilization of Dredged Materials in favor of a mining permit holder under the Industrial Sand and Gravel (ISAG) or Commercial Sand and Gravel (CSAG) quarry permit.

b) River Restoration through Dredging Activities under Section 5.4 of JMC 2019-01 does not cover an ISAG or CSAG regime since the activity to be undertaken is dredging and not quarrying. This will not preclude, however, the entitlement of the Province of Negros Occidental to the share from the commercial disposal of the dredged material in addition to the undertaking of the permit holder to restore the river thru dredging.

c) Local Government Units are entitled to their equitable share derived from the utilization and development of the national wealth within their respective areas under Section 138 of the Local Government Code of 1991.

d) The State is allowed by the Constitution to enter into agreements with private sector entities to bolster the national economy through the sustainable utilization of minerals.

e) Disposal of dredged or extracted materials under this Order shall be governed by the principle according to which the government expects a reasonable return for its utilization, while holders of dredging clearance expect a reasonable return for its dredging operations while restoring the river to its original state.

Section 5. No Funding from the Government. No funding from the government shall be made for the conduct of dredging activities by the private sector. Holders of Dredging Clearance shall provide the financing, technology, management and personnel necessary to implement dredging activities within the exclusive RDZ.

II.

QUALIFICATIONS OF LARGE-SCALE DREDGING OPERATORS

Section 1. Who May Apply. Any citizen of the Philippines or a SEC-registered corporation, partnership, or association established to engage in construction, and development and/or dredging operations, with technical and financial capability to undertake large-scale flood control dredging and desilting operation in the Province of Negros Occidental, to implement efficient and cost-effective large-scale dredging operations, individual corporations may pool their resources, organize themselves and apply as a consortium.

Section 2. Financial Capacity. Applicants must possess the following:

a) Individual applicants must possess the financial capacity by having proof of not less than P250,000,000.00 in asset value through the submission of an Audited Financial Statement, credit lines and/or

income tax returns for the preceding three (3) years and other documents that may be required by the concerned DENR agency;

b) For a corporation, partnership, association or a consortium, its capital must be at least sixty per centum (60%) owned by citizens of the Philippines. A minimum authorized capital of One Billion Pesos (P 1,000,000,000.00) shall be required, twenty-five percent (25%) of which shall be subscribed and paid up. In no case shall the paid-up capital be less than P250,000,000.00. For consortiums, one of its members must possess these qualifications.

Section 3. Technical Competence. In addition to the above requirements, only applicants capable of implementing large-scale dredging activities for flood mitigation or prevention purposes in the heavily-silted river channels within the Province of Negros Occidental, based on their technical knowledge and verifiable previous track record conducting such activities, as properly vetted, duly certified and approved by the appropriate DENR and DPWH offices, are qualified to apply for a dredging clearance.

Section 4. Other requirements. In addition to the above-stated requirements, the proponent shall:

a) Deploy all their equipment within 30 days from the Notice to Proceed (NTP) to be issued by the Provincial Government and the equipment shall be under the name of the company, either chartered or leased, and capable of undertaking large scale dredging activity.

b) Post a Cash Bond in the amount of Twenty Million Pesos (P 20,000,000.00), to be held in an account of the Province of Negros Occidental, to ensure compliance with this Order and other applicable environmental laws, rules and regulations.

c) Secure the required clearances from the appropriate government office including a certification of no pending case relating to compliance with existing environmental laws, rules and regulations, and an undertaking that it will never be involved in such.

d) Undertake protection of the rivers banks from erosion and provide necessary engineering intervention to support the vital infrastructures along the river, pursuant to the dredging clearance approved by the DPWH.

e) Secure the necessary permit from the Provincial Government and pay the required National and Local Tax as required by law.

III.

DENR RIVER RESTORATION THROUGH DREDGING ACTIVITIES

Section 1. Prior Determination of Mineral Contents. Upon determination of the RDZ, the Mines and Geosciences Bureau (MGB) shall conduct a survey of the non-metallic and metallic resources on the RDZ. Once a prior determination of the metallic and other valuable materials in economic quantities is established, the proponent shall, in addition to the payment of taxes, pay the corresponding fees prescribed by the MGB.

Section 2. Application for Issuance of Dredging Clearance. The application for the issuance of Dredging Clearance must be accompanied by the endorsement of the Governor and shall be governed by this Order and other applicable DENR laws, rules and issuances.

Section 3. Prescribed Extraction Method. Holders of dredging clearance under this Order shall adopt the sequence and mode of extraction approved by the DPWH and implement the same in accordance with the duly approved work program in order to ensure a systematic and responsible extraction/utilization/disposition of sand and gravel from river channels

Section 4. Prescribed Dredging Method. In order to restore the natural state and flow of the river and taking into consideration the essential role played by constant sand replenishment, all dredging activities shall be initially conducted at deltas of heavily-silted river channels of Negros Occidental, for a period of six (6) months, with the objective of creating navigational channel and providing more depth for passage of dredging vessels to implement true flood control measures within the RDZ.

IV.

ENVIRONMENTAL MANAGEMENT

Section 1. Environmental Compliance. All holders of dredging clearance shall comply with the pertinent laws, rules and regulations on environmental protection, the allocation of funds for environment-related expenditures, environmental impact assessment, and setting up of the contingent liability and rehabilitation fund, among others.

Section 2. Programmatic Environmental Impact Assessment or Strategic Environmental Assessment per River Channel. In view of the required issuance of ECC on the one (1) Master Dredging Plan per river channel to be issued/approved by the DPWH for the heavily-silted river channels in Negros Occidental, the EMB RO-VI shall conduct the Programmatic EIA or SEA for each river system in coordination with MGB, DPWH and the Provincial Government. The Provincial Government may be the proponent for the Programmatic EIA and SEA.

Section 3. Application for Issuance of ECC. Upon endorsement of the Provincial Governor, all ECC applications for large scale dredging in heavily-silted river channels in Negros Occidental shall be filed with the EMB RO-VI.

Section 4. Extraction Limit. In view of the large-scale river dredging operations involving the heavily-silted river channels in Negros Occidental within the RDZ from the river delta extending all the way upstream and its high replenishment rate/s, the issuance of ECC per river channel shall not be subject to any extraction limit, provided that:

a) The extraction activities conform with the approved work program in accordance with the DPWH Dredging Master Plan;

b) Assessment of the river systems shall be done by the team composed of representatives from PENRO, CENRO and the MGB every two (2) years; and

c) The maximum allowable extraction conforms to the designated mitigating measures based on the environmental impact assessment

MEMORANDUM OF AGREEMENT WITH DENR

Section 1. Authority to Dispose. A holder of an approved Dredging Clearance shall enter into a Memorandum of Agreement (MOA) with the DENR - Regional Office (RO) VI wherein the holder is granted the authority to dispose materials extracted from the RDZ.

Section 2. Accreditation as Trader. All holders of dredging clearance issued by the DPWH or entities duly authorized or contracted by holders of dredging clearance to market and/or commercially dispose dredged or extracted materials should be accredited as traders/retailers/dealers. The Certificate of Accreditation shall be issued by the DENR through the MGB RO-VI.

Section 3. Transport Permit. Ore Transport Permit (OTP) and/or Mineral Ore Export Permit (MOEP) shall be included in the MOA executed between the DENR RO-VI and the holder of the dredging clearance who has been accredited as a trader. Provided, that a written notice prior to shipment or transport of dredged and/or extracted suitable materials shall be furnished to the MGB RO-VI for the purpose of monitoring dredging activities in the RDZ.

Section 4. Excise Tax. The excise tax on locally extracted or produced non-metallic minerals and quarry resources will be based on the actual market value of the gross output thereof at the time of removal. The Excise Tax shall be timely and completely paid to the nearest Bureau of Internal Revenue Office in the province concerned.

Section 5. Work Deviation. Any deviation of more than 15% from the approved work program in any of the activities involved, without the prior concurrence of the DPWH in coordination with the DENR through the MGB RO-VI shall be sufficient ground for the suspension/cancellation of pertinent permits and clearances.

VI.

OPERATIONS PERMIT WITH THE LOCAL GOVERNMENT

Section 1. Operations Permit. No Operations Permit, Notice of Award and Notice to Proceed shall be issued by the Provincial Government pursuant to this Order, unless the applicant has a valid MOA with DENR RO-VI, has been duly accredited as a trader, and has secured a dredging clearance for flood control dredging and desilting activities in the RDZ from the Secretary of the DPWH or its authorized representative based on DPWH-issued one river-specific Dredging Master Plan.

Section 2. Monitoring and Supervision Fee. A monitoring and supervision fee which shall not be less than five percent (5%) of the market value of the gross output of the materials extracted from the covered area within the RDZ, exclusive of all other taxes, shall be paid to the provincial government for purposes of monitoring and ensuring compliance with this Order and other related issuances.

Section 3. Extraction Fee. Suitable materials for commercial disposition shall be subject to extraction fee, to be collected by the Provincial Government of Negros Occidental in accordance with the Local Government Code.

VII.

MONITORING AND ENFORCEMENT

Section 1. Creation of Inter-Agency Committee. An inter-agency committee shall be created, composed of the following:

- a) Governor of the Province of Negros Occidental as Chairperson;
- b) DENR Regional Executive Director VI as Vice-Chairperson;
- c) DPWH Regional Director VI Director as Member;
- d) MGB Regional Director VI as Member; and
- e) EMB Regional Director VI as Member.

Section 2. Powers and Functions of the Inter-Agency Committee. The inter-agency committee shall have the following powers and functions:

- a) Serve as oversight for the implementation of this Administrative Order and monitoring of the dredging operations;
- b) Shall recommend the suspension and/or cancellation of permits and/or clearances; and
- c) Shall propose policies and programs to rationalize the dredging operations.

VIII.

FINAL PROVISIONS

Section 1. Subjectivity to Other Laws. This Order shall be subject to the Constitution, and all pertinent laws, guidelines and issuances.

Section 2. Repealing Clause. All Orders, issuances, rules and regulations, or parts thereof which are inconsistent with this Order are hereby repealed or modified accordingly

Section 3. Separability. The provisions of this Order are hereby declared to be separable. If any part or provision of this Order shall be declared invalid, the remaining portions or provisions shall not be affected thereby and shall be construed as if it did not contain the particular invalid term or provision.

Section 4. Suppletory Clause. In case of violation and/or non-compliance with the provisions of this Administrative Order, the pertinent penal provisions under R.A. 7942, Presidential Decree No. 1586 and other applicable laws, rules and regulation shall be applied suppletory hereto.

Section 5. Effectivity. This Administrative Order shall take effect fifteen (15) days following its complete publication in a newspaper of general circulation and registration with the Office of the Administrative Register.

Issued on January 6, 2020 in Quezon City

ROY A. CIMATU
Secretary

