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DENR

IN THE NEWS

Strategic Communication and Initiative Service



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DENR: Phl facing garbage crisis

By RHODINA VILLANUEVA

The country is "in the middle of a garbage crisis" that can only be addressed by drastic changes in the way individuals and groups treat waste, Environment Secretary Roy Cimatu warned yesterday.

"We are now in the middle of a garbage crisis. If we continue to act only for our independent interests, continue to spoil our water bodies and fail to responsibly manage our wastes, we will not be able to sustain our efforts on this campaign," Cimatu said at a forum in Taguig City.

"We and the following generations will all suffer the consequences if we do not change the way we behave as an organization and as individuals," he said.

What the country needs to immediately address, he said,

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is its problem with solid waste.

Cimatu noted that Metro Manila, with a population of 12.8 million, has a target estimated waste generation of 58,112.31 cubic meters for 2019. "By the first quarter, we have already produced 34,574.77 cubic meters or 59.45 percent of the total," he pointed out.

"The 2019 second quarter estimated waste generation sums up to 32,221.17 cubic meters. This amounts to another 55.45 percent of the total. The target estimated waste generation baseline for 2019 of 58,112.31 cubic meters has already been surpassed," he maintained.

The Department of Environment and Natural Re-

sources (DENR) chief also said that published environmental studies ranked the Philippines third highest source of ocean plastic pollution, with an estimated 2.7 million metric tons of plastic waste leakage annually, next to the much bigger populated countries of China and Indonesia.

Cimatu also revealed that DENR and concerned agencies are again facing the daunting task of cleaning and rehabilitating Manila Bay. The government undertook a massive rehabilitation of Boracay last year.

He announced that as of Nov. 21, 13,212 establishments around Manila Bay have been inspected. "Of these, 2,684 establishments have been issued with notices of violation of environment regulations, while 1,910 more will be issued," he said.

Cimatu added that some 107 establishments have been

issued cease-and-desist orders. "There were also cases filed at the pollution adjudication board against two establishments, which will have to pay penalties if they are found guilty," he said.

"Addressing the large-scale challenge of rehabilitating Manila Bay requires attention and probing from a micro-level perspective. Hence, the DENR programs for Manila Bay rehabilitation are strategically defined to

attend to the issues stemming from the identified sources of wastes," he explained.

He admitted there are still doubts on the viability of the government approach to rehabilitating Manila Bay. "Rather than voicing criticisms without providing concrete solutions, let us transform these sentiments into positive action that can spur positive change to our environment," Cimatu added.



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Thousands of Manila businesses face closure over garbage crisis



MORE than 4,500 businesses around Manila Bay could face closure for violating environmental laws as the Philippine capital fights a garbage crisis, Environment Secretary Roy A. Cimatu said.

"No matter how many times we clean the shoreline of Manila Bay, the garbage always comes back. We have to start addressing it at the source," Cimatu said at a forum organized by Stratbase, a Manila-based consultancy group.

The heavily polluted Manila Bay, which has a coastline of 190 kilometers and connects 17 major river systems in the capital and nearby areas, is being cleaned and should be 80 percent complete in the next two years, he said.

Metro Manila produces 9.3 million kilograms of solid waste every day, of which only 85 percent is collected, while the remaining ends up in waterways, according to data from the Department of Environment and Natural Resources (DENR).

The DENR has also expanded garbage collection to hard-to-reach neighborhoods of informal settlers, whose waste usually ends up thrown in waterways, Cimatu said. New guidelines for pilot waste-to-energy projects for municipal solid waste will be issued this month, he said.

Other highlights

THE Environment Department will issue rules regulating the use of single-use plastics this month, after President Duterte called for a nationwide ban in November, Cimatu said.

A separate bill on single-use plastics has been filed in the Senate, prohibiting the importation and use in food and retail establishments, Sen. Cynthia A. Villar said in the same conference.

The 2020 national budget will allot funding for the construction of a plastic recycling facility in every city and province, according to Villar, who chairs the Senate environment committee. The budget will also allocate funds for a compost facility in every municipality.



Garbage crisis hits, cleanup no use, Cimatú says

By Rio N. Araja

THE country, particularly Metro Manila, is facing a "garbage crisis," according to the Department of Environment and Natural Resources.

Secretary Roy Cimatú said clean-up operations were not enough to fix the gar-

bage woes in the National Capital Region, where nearly 13-million people live.

To help reduce the huge volume of trash, agency officials backed President Rodrigo Duterte's position to ban single-use plastics, he said.

"We are now in the middle of a garbage crisis," he told the Stratbase Group forum

in Taguig City.

"If we continue to act only for our independent interests, continue to spoil our water bodies and fail to responsibly manage our wastes, we will not be able to sustain our efforts on this campaign," he said, referring to the rehabilitation of Manila Bay.

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The metro has a population of 12.8-million people and has exceeded its target of 58,112 cubic meters for the entire 2019.

It has generated over 66,000 cubic meters by the second quarter only of 2019.

For the first three months of 2019, the metro produced 34,574.77 cubic meters, while for the second quarter, there were 32,221.17 cubic meters.

"We and the following generations will all suffer the consequences if we do not change the way we behave as an organization and as individuals," Cimatú told the forum.

He said there must be a change of attitude to be able to reduce the volume of trash.

Despite repeated warnings, the people would still continue to throw and dump garbage elsewhere, he said.

The DENR chief maintained that clean-up could no longer solve the problem of garbage, saying there must be cooperation from the people.

"Political will enable us to mobilize supporters, volunteers and ordinary Filipino citizens to rally to our cause," he said.

In an ambush interview, Cimatú said his experience heading clean-ups in Manila Bay and other bodies of water connected to it suggested "a culture and behavior problem because despite our warning to them not to throw anything, garbage is there again."

Cimatú said they have to put up concrete fences to prevent people from dumping their waste in the rivers.

He added the DENR also planned to construct a common septic tank for informal settlers while they are arranging for their relocation.

The environment department has also started sending out people to deal with areas that garbage trucks are not able to service.

In his speech, Cimatú announced that as of Nov. 21 this year, 13,212 establishments around the Manila Bay have been inspected.

Of these, he said, 2,684 establishments have been issued with notices of violation of environment regulations, while 1,910 more will be issued.

"Some 107 establishments have been issued with cease-and-desist orders," he said.

There were also cases filed at the pollution adjudication board against two establishments, who will have to pay penalties if they are found guilty.

Asked if he would recommend to President Rodrigo Duterte the banning of single-use plastic, which makes up a large part of the country's waste stream, Cimatú said they are in the process of finalizing a department order.

"Within the next two weeks [we will finalize] a department order prescribing the use of plastic," he said, adding it would be better if people could really avoid single-use plastics.



PILE of garbage on a Manila street is a common blight. AFP

Garbage crisis engulfs metro

The waste problem of Metro Manila has reached crisis proportion and cleaning up, particularly of the water bodies, would need a strong political will, Roy Cimatu, Department of Environment and Natural Resources (DENR) Secretary, said.

Addressing a forum yesterday, the Environment chief noted, "Our experience

taught us the importance of political will to make things happen – like what happened in Boracay."

"We are in the middle of a garbage crisis, and the next generation will inherit it if we now don't move. We and the following generation will suffer the consequences if

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Garbage crisis engulfs metro

We are in the middle of a garbage crisis and the next generation will inherit it

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we don't change," according to Cimatu.

President Rodrigo Duterte had earlier directed the DENR to rehabilitate all waterways starting with those near the resort island of Boracay. A six-month shutdown resulted to the enhancement of the water system off the island.

The former Armed Forces chief of staff said waste buildup has become unprecedented and clean-up campaigns are no longer enough since, he said, trash should be halted from its source, such as stopping the indiscriminate throwing of garbage.

For nation's future

"If we continue to act only for our independent interests, continue to spoil our water bodies and fail to responsibly manage our wastes, we will not be able to sustain our efforts on this campaign," he said.

Cimatu warned that coming generations of Filipinos will suffer the consequences of the crisis, "if we do not change the way we behave as an organization and as individuals."

In Metro Manila, accumulated waste in the first quarter reached 34,574.77 cubic meters and 32,221.17 cubic meters in the second quarter, surpassing the baseline estimate for the

entire year.

The DENR had to put up concrete fences to prevent people from dumping their waste into rivers.

"The target estimated waste generation baseline for 2019 of 58,112.31 cubic meters had been surpassed," he said.

The Environment chief said instilling discipline among Filipinos in waste disposal is a prerequisite.

Accumulated waste in the first quarter reached 34,574.77 cubic meters and 32,221.17 cubic meters in the second quarter that had surpassed the baseline estimate for the entire year.

"We found out really that it's a culture and behavior problem. Because despite our warning to them (residents) to not throw anything, garbage is always there," he said.

Responsible citizenry crucial

Cimatu said the DENR had to put up concrete fences to prevent people from dumping their waste into rivers. The agency also plans to construct a common septic tank for informal settlers while it is arranging their relocation.

"The garbage problem is not solved by cleaning it right where

these are located. So, we have to clean it really from source," he said.

He said when the public senses that the leadership has a strong resolve, everything seems to follow.

"Political will enabled us to mobilize supporters, volunteers and ordinary Filipino citizens to rally to our cause," he said.

Asked if he would recommend to the President the banning of single-use plastic, which makes up a large part of the country's maritime waste, Cimatu said a department order addressing the problem is being drafted.

"Within the next two weeks, (we will finalize) a department order prescribing the use of plastic," he said, adding that it would be better if people can really avoid single-use plastics.

Manila Bay to be reclaimed

Cimatu said similar to Boracay's rehabilitation, the restoration of Manila Bay to its pristine condition is achievable.

"We have proven them wrong. We have made the impossible really possible," he said.

"The task before us seems gargantuan in size and encompasses a variety of issues that we need to resolve to reach our goal," he added.

As of 21 November, more than 13,000 commercial establishments have been inspected, 2,684 of which have been issued with notices of violation and possible closure, while 1,910 more notices of

breaches with DENR laws will be issued.

"Some 107 establishments were issued with cease and desist orders," he added.

Cimatu said recent sampling of water in the bay showed a general decrease in fecal coliform.

"We admit these levels are way beyond the prescribed standards, but it will drastically improve once a planned treatment plant becomes operational," he said.

Clean-up campaigns are no longer enough since trash should be halted from its source.

The DENR chief emphasized that the new guidelines on the waste-to-energy method will demonstrate how the process can work "without violating the Clean Air Act."

Cimatu said P644 million has been allocated in the budget next year for the regular cleanup of esteros in Metro Manila.

He stressed that safeguarding the quality of waterways would significantly improve the water quality in Manila Bay.

Over 1,100 "Estero Rangers" have been deployed in over 700 barangays in Metro Manila earlier this month, according to Cimatu. These rangers are tasked to regularly clean esteros and prevent indiscriminate dumping of garbage.

He pointed to the San Juan River as the most polluted in Metro Manila.

Raymart Lolo @tribunephil_lolo



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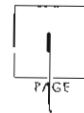
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Toxic sea Pollution is again the suspect for the fish kill along Manila Bay as a fisherman scoops up the dead marine creatures despite the possible health hazards that accompany eating them.

ARE



Garbage crisis nakaamba – DENR

NAGPAHAYAG ng pangamba si Environment Secretary Roy Cimatu na nahaharap sa garbage crisis ang Pilipinas.

Ito ay dahil sa kawalan ng maayos na sistema sa pagtatapon at pagkolekta ng basura at hindi na sapat ang ginagawang paglilinis sa mga basura.

"We are now in the middle of a garbage crisis," ayon kay Cimatu sa kanyang talumpati sa Stratbase Group forum kaugnay sa kapaligiran at ekonomiya.

"If we continue to act only for our independent interests, continue to spoil our water bodies and fail to responsibly manage our wastes, we will not be able to sustain our efforts on this campaign," patungkol ni Cimatu sa rehabilitasyon ng Manila Bay.

Tiniyak ni Cimatu na tayo at ang mga susunod pang henerasyon ang magdurusa kung hindi natin babaguhin ang ginagawa natin sa pagtatapon ng basura.

Sinabi pa ni Cimatu

na sa Metro Manila, umabot sa 34,574.77 cubic meters ang basurang nakolekta sa unang quarter ng taon, habang 32,221.17 cubic meters ang tinatayang sobrang basura pa ang maidadagdag sa buong taon.

Tinatayang nasa 58,112.31 cubic meters na basura ang makokolekta sa buong taon.

"We found out really that it's a culture and behavior problem. Because despite our warning to them (residents) to not throw anything, nandiyang naman (garbage is there again)," ayon kay Cimatu matapos ibahagi ang kanyang karanasan sa rehabilitasyon ng Manila Bay.

Kinakailangan umano na maglagay pa ng konkretong bakod para mapigilan ang mga tao sa pagtatapon ng kanilang basura sa ilog.

Plano rin umano na magsagawa ng common septic tank sa mga informal settler habang isinasabay ang kanilang relokasyon. **(Juliet de Loza-Cudia)**



PINAS NAHARAP SA 'GARBAGE CRISIS'

Sinabi kahapon ni Department of Environment and Natural Resources (DENR) Secretary Roy Cimatu na nahaharap na ang Pilipinas sa 'garbage crisis' dahil sa napakataas na 'volume' nito na nalikha ng mga Pilipino.

"We are now in the middle of a garbage crisis," ayon kay Cimatu sa kaniyang talumpati sa Strabase Group forum ukol sa kalikasan sa Taguig City kahapon.

Sa kanilang datos, ang target na baseline ng basura para sa Metro Manila na 58,000 cubic meters para sa buong 2019 ay nalagpasan na sa unang dalawang quarter pa lamang ng taon.

Sa unang quarter, nakalikha ang mga taga-Metro

Manila ng 34,574.77 cubic meters habang sa ikalawang quarter ay pumalo ito sa 32,221.17 cubic meters.

Iginilit ni Cimatu na hindi na epektibo ang mga 'clean-up drive' partikular sa rehabilitasyon ng Manila Bay.

Sinabi niya na naging kultura at pag-uugali na talaga ng mga Pilipino ang walang pakundangan na pagtatapon ng basura. Sa mga nakalipas na clean-up drives, makalipas ang ilang linggo ay muling bumabalik ang mga basura dahil na rin sa pagkakalat ng mga residente na patuloy na walang disiplina sa basura.

Nitong Nobyembre, nabatid na nasa 13,212 establishments sa paligid ng Manila Bay ang ininspeksyon ng DENR. Nasa 107 dito ay binigyan 'cease-and-desist orders' dahil sa mga bayolasyon, nasa 2,684 ang inisyuhan ng 'notice of violation of environment regulations' habang nasa 1,910 pa ang idadagdag na isyu. -Danilo Garcia-



KEEPING OCEANS CLEAN

TWO SEASIDE TOWNS IN MINDANAO JOIN WAR ON PLASTIC WASTE

By Bong Sarmiento
@InqNational

SANISIDRO, DAVAO ORIENTAL—Two coastal towns in Mindanao have vowed to eliminate plastic pollution in 10 years by signing up with the Plastic Smart Cities movement initiated by the World Wide Fund for Nature (WWF).

Located at the heart of the Davao Gulf, the Island Garden City of Samal, popularly known as Samal Island in Davao del Norte province; and across from it, San Isidro town in Davao Oriental province, joined the movement waged by the world's cities against plastics this week.

The two seaside communities were the first towns in Mindanao to have joined 12 other areas, now celebrated as the world's leading cities against plastic waste, as part of WWF's global No Plastics in Nature initiative.

The Plastic Smart Cities movement is a global initiative for cities and tourism destinations that are fighting plastic pollution.

Chrisma Salao, WWF-Philippines vice president for conservation program, said the global conservation nonprofit had been working on climate change adaptation and marine protection projects in Davao Gulf since 2008.

"[The Island Garden City of Samal and San Isidro] have taken an important step in securing a sustainable future for their residents," she said.

Salao said they would help these local governments minimize, prevent and manage plastics, both as a livelihood resource and as waste.

Tourist destinations

Plastic trash, she said, poses danger to the environment, public health and the economy.

Apart from the two Davao



MANAGING TRASH A backhoe operator works at the sanitary landfill of the Island Garden City of Samal. The local government hopes to curb pollution in the city through a campaign against plastic waste. —ERWIN MASCARIÑAS

Gulf towns, Donsol in Sorsogon is the only other locality in the Philippines that joined WWF's war against plastics.

These areas are tourism destinations offering different attractions.

Samal Island, which is Davao City's closest tourism

getaway, is known for its white sand beaches and the Monfort bat sanctuary. San Isidro town's tourist drawer is Mt. Hamiguitan Range Wildlife Sanctuary, earlier declared world's heritage site by the United Nations Educational Scientific and Cultural Organization for its di-

verse flora and fauna. It was also declared an Asean Heritage Park.

Donsol is famous for its "butanding" or whale shark sightseeing tours.

According to WWF data, an estimated 80 percent of plastic marine debris today has been coming from land-based sources, a large portion of which are urban areas, whose polluted waterways carry discarded plastic to the ocean.

Island Garden City of Samal Mayor Al David Uy said the Plastic Smart Cities project was timely as Samal Island targeted to extend the life span of its sanitary landfill through plastics reduction.

Commitment

WWF and the Island Garden City of Samal, as part of their commitment to help stop the leakage of plastic waste into the ocean each year, agreed to work

toward a "100-percent plastic waste diversion" by 2030, through residuals processing, education campaign, segregation and recycling, and the implementation of the city's environmental code.

By joining WWF's war against plastic waste, San Isidro has also committed to generate and support solutions in addressing the plastics problem in the town.

Mayor Justina Yu says San Isidro is implementing the "Dili Nako sa Plastik" (I am Against Plastic), a local environment and livelihood program on plastic recovery and recycling.

"We should set the example now for the sake of our future generation," she said in Cebuano.

The San Isidro local government started its campaign to reduce plastic use after sea turtles turned up dead along coastal villages. The turtles were later found to have ingested plastic trash, Yu said. **INQ**



EDITORIAL

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Policy needed on single-use plastic

JUST like the vapes as alternative to tobacco smoking, government policy on single-use plastic is needed to guide the people, both consumers, manufacturers, distributors and law enforcers, on how to regard this controversial product.

The House of Representatives and the Department of Environment and Natural Resources have differing views on how to treat single-use plastic. Environmentalists and consumer advocates have another view, along with those wanting a total ban on this commodity.

An official of the DENR has proposed that Congress should impose a heavy tax on single-use plastic bag – to discourage its use and address the alarming rate by which plastic pollution is consuming our waterways, plains, mountains, rivers, and valleys.

Benny Antiporda, DENR undersecretary for Solid Waste Management and Local Government Units Concerns, made the call as the House Committee on Ways and Means is set to invite the DENR to ask its position on House Bill 178 which seeks to impose a ten-peso excise tax for every kilo of single-use plastic bag removed from the place of production or released from the customs house.

‘Our fear in all these haggling is that same concern aired by Willy Go, president of the Philippine Plastics Industry Association, that consumers will ultimately shoulder the highest costs.’

Nueva Ecija Rep. Estrellita Suansing earlier proposed the P10 excise tax, but Antiporda said the single-use plastic bags should be taxed some more, and not banned. “I propose that rather than banning it, we should tax it. We should impose a heavy tax,” Antiporda said.

The DENR official also pointed out that instead of the Suansing proposal of allocating 50 percent of the revenues collected from this excise tax to the Solid Waste Management Fund of the DENR, it should be the full amount.

It was the DENR’s way of saying that it really needs a lot of money to solve the problem of solid wastes nationwide. To even make a dent or a scratch, modern technology is needed in solving the problem of garbage, and as you know, technology is expensive.

Antiporda minced no words in pointing this out. He said, “It should be 100 percent. I will propose that all goes directly to the solid waste management because we need a large amount of money when it comes to solving this problem. If we don’t come up with technologies, nothing will happen. The technology comes with a price.”

Our fear in all these haggling is that same concern aired by Willy Go, president of the Philippine Plastics Industry Association, that consumers will ultimately shoulder the highest costs. Go said the industry has reduced its output by 20 percent because many LGUs have banned the use of these plastic bags.

“Why legislate a new tax when our industry will just die a natural death?” he asked.

Friday, 6 December 2019
Daily Tribune

Biliran town decries tree-cutting



Tree stumps lie on the roadside of a highway in Caibiran, Biliran as casualties of the road-clearing operations conducted in the area. **ELMER RECUREDO**

The trees were cut in September this year without securing permission from the Department of Environment and Natural Resources

By Elmer Recuerdo

TACLOBAN CITY – At least 24 trees alongside the highway in Caibiran, Biliran were cut down without permits during the conduct of road-clearing operations, which caused an uproar among its residents.

The trees were cut in September this year without securing permission from the Department of Environment and Natural Resources (DENR) as the local government unit (LGU) was trying to beat the deadline set to clear obstructions in all road networks in the country.

To recall, the Department of the Interior and Local Government (DILG) has issued Memorandum Circular 2019-121 last 29 July mandating LGU to conduct road-clearing of obstructions and illegal structures within 60 days.

"These trees are not obstructions. Many of them have been there even before the highway was constructed," Crispin Sabarre, a resident of the town for 57 years, said.

He said he was dismayed with the tree-cutting because some of those that were cut were already decades old and helped stabilize the soil in the area. These were also a few meters off the road and clearly not road obstructions.

"Our town is prone to soil erosion and landslides and these trees help prevent destructive landslides," Sabarre explained.

"I hope the government will look into this because the indiscriminate cutting of trees in the name of road-clearing might not only be happening in Caibiran but also in other places here in Biliran," he added.

A report from the Provincial Environment and Natural Resources Office (PENRO), which conducted an investigation, confirmed the illegal cutting of trees in its report dated 8 October.

The PENRO also reported that the trees were between one to three meters from the road pavement and were "not really causing any obstruction."

"Trees planted or naturally growing along the side of the road cannot be considered an obstruction of passage as it does not fall under the category as 'illegal structures and constructions'," the PENRO report said.

"Implementation of government programs and projects that involves cutting or removal of trees should be cleared first from the government agency concerned," it recommended.

The PENRO requested the Caibiran LGU to explain in writing why it should be held liable for the unauthorized cutting of trees.

The report also mentioned that among the trees that were cut include acacia, some fruit-bearing trees like *santal*, mango and jackfruit, as well as natural-growing trees like *antipolo*, *tagisang bayawak* and *binunga*.



BUMARA sa ibabaw ng Abuan Bridge ang mga naanod na troso gawa ng illegal logging sa kabukiran, sanhi ng malawakang pagbaha sa 41 barangays na nasa 'state of calamity' ngayon sa Lungsod ng Ilagan, Isabela. (REY VELASCO)



DENR faces PITC in UNTV Cup action

NEWCOMER Department of Environment and Natural Resources (DENR) tries to inch closer to earning an outright

semis berth when it battles Philippine International Training Corporation on Sunday in the 8th UNTV Cup at the San Juan City gym.

The DENR Warriors and the Global Traders clash at 3:30 p.m. with the former going for their seventh straight win dating back the first round eliminations that will give them at least a playoff for the second outright semis berth.

DENR is the only undefeated team in the 8-team second round eliminations after Judiciary stunned defending champion Armed Forces of the Philippines, 78-72, last Sunday.

Games Sunday

(San Juan City gym)

2 p.m. - PhilHealth vs Judiciary

3:30 p.m. - DENR vs PITC

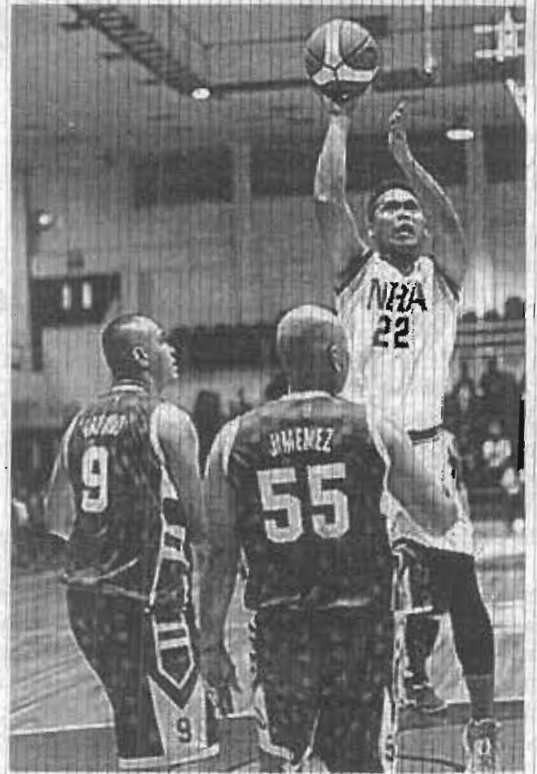
5 p.m. - AFP vs Malacañang-PSC

the chosen charity of the champion team. Backstopped by former PBA players Chester Tolomia and Warren Ybanez, and Jearomel Serrano, the Magis are out to improve their 3-3 card.

The AFP Cavaliers, meantime, try to get back on the winning track when they collide with the Malacañang-Philippine Sports Commission at 5 p.m. in the event organized by UNTV President and CEO Dr. Daniel Razon for public servants.

Like the Cavaliers, the Kamao are smarting from 78-68 loss to the Global Traders who are sporting a 4-2 record.

Judiciary's win should boost its confidence in time for its 2 p.m. showdown with the PhilHealth Plus in the event offering P4 million to



Marvin Mercado (22) attempts to score against Malacañang in this file photo.



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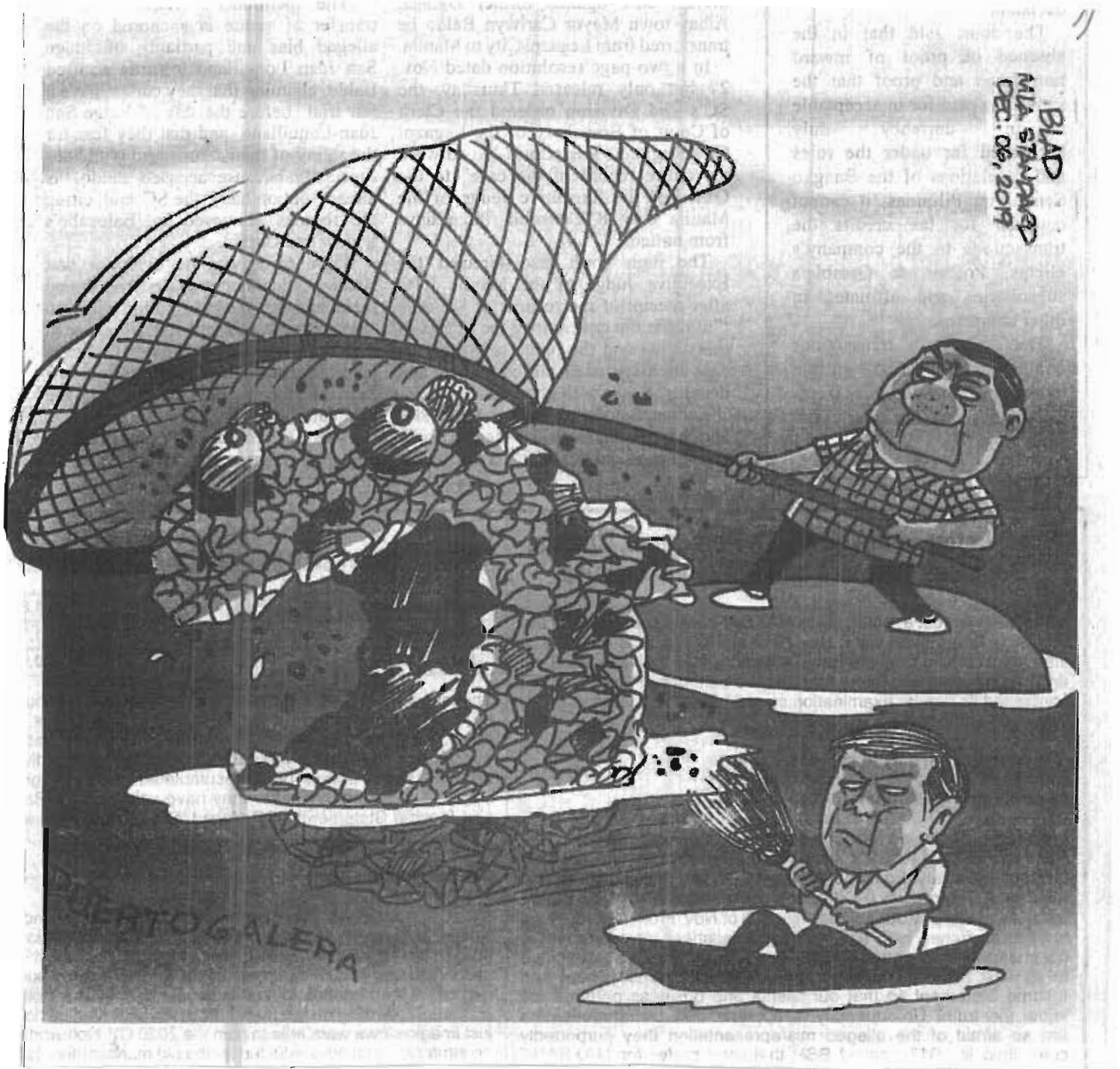
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EDITORIAL

Preserving Puerto Galera

THE government has shifted its focus on the clean-up of Puerto Galera, using the rehabilitation of Boracay Island and Manila Bay as template.

The Department of Environment and Natural Resources and other government agencies by this time should have a clear idea on what to do with Puerto Galera, a favorite destination among local and foreign tourists for its beaches, scuba diving and entertainment activities.

Puerto Galera's relative proximity to the main island of Luzon and Manila, for that matter, makes it an ideal tourism draw. But like Boracay Island, Puerto Galera has overdeveloped to accommodate the rising number of tourists. It is, thus, not surprising if some of Puerto Galera's hotel and restaurant estab-

lishments are found to be contributing to the degradation of the area's fragile ecosystem.

Puerto Galera's Sabang Beach and White Beach also have an active nightlife, thanks to their numerous bars and restaurants. They are famous for their "go-go bars" and have turned out to be one of the many sites of the country's sex tourism industry.

Environment Secretary Roy Cimatu's intervention in Puerto Galera is timely before the famous tourism site suffers permanent damage. The Paris-based United Nations Educational, Scientific and Cultural Organization, or UNESCO, designated Puerto Galera in 1973 a Man and Biosphere Reserve, having some of the most diverse coral reef resources in Asia.

Cimatu wants a direct hand in the preservation of Puerto Galera. He will likely require all tourist establishments in the area to put up

their own sewage treatment plants to clean up the coastal town. For starters, he must ensure the strict implementation of environmental laws, including Republic Act No. 9275 or the Clean Water Act of 2004, and Presidential Decree No. 705, or the Revised Forestry Code of the Philippines.

The Boracay rehabilitation model must be replicated in Puerto Galera. Many of Boracay's bars, restaurants and hotels were demolished to restore a 30-meter stretch of sand between the water and tourist areas. A shoreline easement zone in Boracay was declared off-limits to drinking, smoking, weddings, vendors and massage providers—activities that can be done inside hotels and restaurants.

Cleaning up Puerto Galera will not be an easy task. But it must be done to make the tourism haven environmentally sustainable for the next generation to enjoy.



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Gov't won't pay P11-B award to water firms

By Julie M. Aurelio,
Dona Z. Pazzibugan,
Leila B. Salaverria
and Melvin Gascon
@Team_Inquirer

No to paying P11 billion to Manila Water Co. and Maynilad Water Services Inc.

Malacañang on Thursday took this stand as it rejected a ruling by an international arbitration court awarding the two private companies the huge amount as compensation for "losses and damages" that arose from their inability to charge higher water rates.

In Legazpi City, President Duterte said paying the amount would be foolish. "Just because they incurred losses? We won't pay it," he said on Thursday night during a visit to typhoon-ravaged areas.

He said he wanted graft and plunder cases filed against the owners of the two companies for the 1997 water concession agreements found to be disadvantageous to the government. "You duped the Filipinos of money. I will pursue this thing if this is the only thing I can achieve in this administration. I will hit you with economic plunder," the President said.

Onerous contracts

Presidential spokesperson Salvador Panelo said the government would not pay the companies because their contracts to distribute water in Metro Manila and nearby areas were onerous.

Among the provisions in the concession agreements that the Department of Justice (DOJ) found to be disadvantageous to the government and the public pertained to prohibiting the government from interfering in setting water rates and indemnifying the companies for losses due to such interference.

The DOJ also deemed irregular the extension of the 25-year agreements up to 2037, or way beyond their original expiry year in 2022. Former Solicitor General Florin Hilbay on Thursday cautioned the government against ignoring the ruling as doing so would cast the country in an unfavorable light.

Hilbay said there were legal steps that the Duterte administration could take to contest the ruling, such as questioning its implementation before Philippine courts. "That's for them to decide if they want to take that kind of risk to be seen by other countries as not abiding by an international ruling," he said in a phone interview.

Countries generally observe arbitral awards because they want to gain high investor confidence, Hilbay noted. Otherwise, investors would think that they won't

be able to rely on the Philippine legal system and that rules in the country are ignored, he said.

Justice Secretary Menardo Guevarra said the government was studying its legal options.

"But we'll probably start with the drafting of a new version that excises all provisions in the concession agreement that we believe are contrary to law and public policy, as well as those that are highly prejudicial to the interest of the consuming public," Guevarra said on Thursday.

He said the government was more interested in getting a new deal than in compromising on the arbitral award.

Guevarra was reacting to the overture of Manila Water, which said on Wednesday that it was "more than willing" to strike a "workable solution" with the government to settle the P7.4 billion awarded by the Permanent Court of Arbitration in Singapore last month for the company's losses from June 1, 2015, to Nov. 22, 2019.

The court also ordered the government in 2017 to pay Maynilad P3.6 billion.

Manila Water and Maynilad started distributing water in Metro Manila and parts of Cavite and Rizal provinces in 1997 after they were awarded the east and west zones, respectively, following what was then dubbed the "world's largest privatization."

Economic sabotage

On Tuesday, Mr. Duterte threatened to file economic sabotage cases against both companies over the 1997 agreements they entered into with the Metropolitan Waterworks and Sewerage System (MWSS).

Panelo on Wednesday said the President had ordered the filing of criminal, civil and administrative charges against the parties, including government lawyers and agents, who took part in crafting the water concession agreements.

Mr. Duterte blew his top upon learning that the arbitration court had directed the Philippine government to compensate Ayala-owned Manila Water.

In a radio interview, Panelo said the President had the authority to rescind any government contract contrary to public policy and interest.

The dispute may even reach the Supreme Court if the parties are unable to reach an agreement after the government crafted a new contract, Panelo said.

Gov't won't pay P 11 - B award to water firms P-2

"The President has ordered the crafting of new covenants or provisions in the contract. If not, we will not agree to it," he added.

Passing on corporate taxes

Panelo hinted at a possible collusion between the private water firms and government officials who prepared the contracts two decades ago, noting that it was only in the Philippines that the government is mandated to compensate water companies for lost revenue.

According to Hilbay, the government could bring the issue before local courts by questioning the arbitration award's implementation and pushing its position that the concessionaires could not pass on corporate income taxes to consumers.

He said the water concessionaires' dispute that began with the Aquino administration was whether corporate income taxes could be passed on as an expense under the concession agreement.

The position of the MWSS then, Hilbay said, was that the companies should shoulder these.

"If [the government] wants to take up the cudgels for the consumers, they would fight for this position," said Hilbay, the solicitor general when the water concessionaires brought the case to the arbitration court.

He said the matter had been mostly handled by the Office of the Government Corporate Counsel, the law office of government-owned and -controlled corporations, including the MWSS.

'Integrated solution'

Some Cabinet members want an "overhaul" of the existing concession agreements while others are "thinking of more drastic actions," Guevarra said.

The DOJ, he said, would come up with an "integrated solution" as ordered by the President.

Guevarra said the government had legal basis to rewrite the agreement, citing a contractual provision on amendments to the deal.

"The state is not estopped by the mistakes of its agents, especially if the acts committed are constitutionally or legally infirm," he reasoned out.

"The statute of limitations does not apply if the act sought to be set aside is void for being contrary to law or public policy. In any event, there is a standard separability clause that leaves other valid provisions effective," Guevarra said.

Maynilad said it had not formally received any communication from the government concerning the proposed amendment to the company's concession agreement with the MWSS.

"But we have heard the news reports and we are open to sitting down with government to address their concerns," Randy Estrellado, Maynilad COO, said in a text message.

In the House of Representatives, two resolutions were filed on Thursday directing concerned committees to investigate the water concession agreements.

House Resolution (HR) No. 571 directs the House committee on government enterprises and privatization to look into the alleged "onerous" deals.

HR 572 asks the House to probe the P7.4 billion awarded to Manila Water by the arbitration court, the concession agreements and the country's water resources management.

—WITH A REPORT FROM RONNEL W. DOMINGO INQ



Gov't not inclined to pay two water concessionaires

By GENALYN D. KABILING
and BEN R. ROSARIO

The government is not inclined to pay billions of pesos to two water concessionaires despite an order from a Singapore-based arbitration court due to the reported disadvantageous provisions of the water distribution contracts.

Presidential spokesman Salvador Panelo asserted that the President has the authority to rescind any government contract

found contrary to public policy and public interest and craft a new deal that will be favorable to the nation.

The Singapore-based Permanent Court of Arbitration recently directed the government to reimburse Manila Water for losses amounting to ₱7.39 billion over a rate dispute. The arbitral award came following a 2017 court ruling on the payment of ₱3.6 billion to Maynilad Water Services, Inc. as compensation for losses.

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"Onerous ang kontrata, masyadong disadvantageous sa gobyerno [No. No because the contracts are onerous and very disadvantageous to the government]," he said in an interview over DZXL when asked if the President will reimburse the water companies for their supposed losses as ordered by the court.

President Duterte had earlier ordered the filing of economic sabotage charges against the owners of the two water companies and their cohorts in government over the alleged onerous concession agreements. Among the contract provisions that angered the President are the prohibition against government in rate adjustments as well as indemnity claims for losses or damages in case of such interference.

The President blew his top over the water deals following the latest arbitration award in favor of the Ayala-operated Manila Water.

Panelo, however, maintained that the President could revoke the alleged onerous water contracts.

"Manila Water and Maynilad have not only abused the arrangement of distributing water to the public but treated water as a commodity instead of precious natural resource," he added.

"Lahat 'yan puwede [All is possible]," Panelo said when asked if the President will rescind the water distribution deals.

New water deal eyed

Panelo said the President directed

the Department of Justice (DOJ) and the Office of the Solicitor General (OSG) to prepare a new water agreement that is favorable to the State and the Filipino people.

Justice Secretary Menardo I. Guevarra said that while the OSG was contemplating on "judicial remedies here and abroad, some Cabinet members want an overhaul of the existing concession agreements."

"Others (Cabinet members) are thinking of more drastic actions," he said.

But in a radio interview Thursday morning, Guevarra said "the government is more interested in getting a new deal than in compromising the arbitral awards."

Congressional inquiry

At the House of Representatives, Cavite Rep. Elpidio Barzaga has filed House Resolution No. 572 urging appropriate panels, possibly the Committees on Good Government and on Public Trust, to inquire into the decision of the Singapore-based arbitration court.

The Makabayan bloc, composed of progressive lawmakers, also called for a congressional review of the concession agreements between government and the two concessionaires - Manila Water and Maynilad Water Services, Inc.

Bayan Muna Reps. Carlos Isagani Zarate, Ferdinand Roco and Eufemia Cullamat filed House Resolution 571 appointing the Committee on Gov-

ernment Enterprises and Privatization to lead the legislative inquiry.

This developed as urban poor families and the Freedom from Debt Coalition set today, Dec. 6, an indignation rally in front of the offices of the Ayala-led Manila Water Company and the state-run Metropolitan Waterworks and Sewerage System in Diliman, Quezon City.

As of presstime, various groups have vowed to stage their own protest action against Manila Water and Maynilad, which won concession agreements with the Philippine government to distribute potable water in Metro Manila and adjoining localities in Rizal, Laguna, Bulacan and Cavite.

Barzaga has noted that in its latest annual report, Manila Water claimed a net income of ₱6.5 billion in 2018, which represents a six percent increase from its 2017 profit.

Maynilad, on the other hand, claimed an income of ₱7.3 billion in 2018, higher than the ₱6.8 billion in made in the previous year.

Manila Water and Maynilad still have to pay the nearly ₱1 billion each fined imposed by the Supreme Court over their violation of the Philippine Clean Water Act for failing to put up sewerage systems in their respective areas, Barzaga stated.

The Cavite lawmaker said it is important for Congress to conduct the investigation, especially in the light of the DOJ statement that the concession agreements of the two water concessionaires contained "disadvantageous provisions prohibiting government" from stopping rate setting. (With a report from Rey G. Panaligan)



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HOUSE PROBE INTO WATER SUPPLY CONCESSION AGREEMENTS SOUGHT

BY JOYEE MARIL N. DELA CRUZ *✉ jayoc@cominte*

The chairman of the House Committee on Natural Resources on Thursday filed a resolution directing the lower chamber to look into the P7.39 billion ruling of the Permanent Court of Arbitration (PCA) in Singapore, the concession agreements of Manila Water and Maynilad, and current water resources management.

Dasmariñas City Rep. Elpidio Barzaga said he filed the resolution after the PCA in Singapore ruled that the Philippine government has to pay Manila Water P7.39 billion for the company's losses from June 1, 2015, to November 22, 2019, after the government refused to pay its demand amounting to P79 billion from 2015 to 2017 when it was not allowed to raise tariffs.

According to Barzaga, a review of relevant existing laws must be done this 18th Congress.

The lawmaker said the P7.39 billion are supposed losses suffered by Manila Water despite the fact it posted gross income of P6.5 billion, a net income increase of 6 percent from the previous year.

On the other hand, he said, Maynilad reported a net income of P7.3 billion in 2018, up from P6.8 billion in 2017. According to its 2018 annual report, its core income increased by 5 percent due to the combined effect of a 3-percent growth in billed volume and several rounds of tariff increases.

"The P7.39 billion comes after the country went through a recent water shortage that brought misery to tens of thousands of Filipinos that still looms when the summer time comes," he added.

In a separate resolution, the Bayan Muna Party list also called on the House Committee on Government Enterprises and Privatization to look into allegedly onerous concession agreement signed between the government and Manila Water and Maynilad.

Bayan Muna Party list Rep. Carlos Isagani Zarate said the concession agreement imposes that the Metropolitan Waterworks and Sewerage System (MWSS) has the obligation to pay for the legal cost of Maynilad and Manila Water should they challenge any regulatory decision that disapproved their rate increase.

"Whether the case brought to the international courts end up favoring the government or the concessionaires, the consumers will be on the losing end. If the case favored the government, the consumers will still have to shoulder the expensive legal cost of the concessionaires as obligated by the agreement. If the case favored the concessionaires, apart from the legal cost, the consumers will be the one paying the fines or penalties through tariff," Zarate said.

In a related development, Justice Secretary Menardo Guevarra on Thursday said the government is exploring its options in provisions found within the agreements between the government and water concessionaires, Maynilad and Manila Water.

In a message to newsmen, Guevarra said the government is "more interested in getting a new deal than in compromising the arbitral award" issued by the Singapore arbitration center which awarded billions to the firms.

Guevarra stressed that the contracts are not iron-clad and noted that "there is a contractual provision on amendments to the concession agreement."

The DOJ chief, likewise, explained that under law, the government cannot be held hostage to unlawful provisions.

"The state is not estopped by the mistakes of its agents, especially if the acts committed are constitutionally or legally infirm, and the statute of limitations does not apply if the act sought to be set aside is void for being contrary to law or public policy. In any event, there is a standard separability clause that leaves other valid provisions effective," Guevarra said.

"Our legal remedies are not mutually exclusive," Guevarra said, noting that the Office of the Solicitor General is contemplating judicial remedies locally and/or abroad.

He added that some members of the Cabinet want an overhaul of the existing concession agreements and that others are thinking of more drastic actions.

"PRRD has asked the DOJ to come up with an integrated solution. We'll do," Guevarra said.

Manila Water is a subsidiary of Ayala Corp., while businessman Manuel V. Pangilinan's Metro Pacific Investments Corp. owns a controlling stake in Maynilad.

The two private companies distribute water in Metro Manila and other parts of the country under agreements signed with state regulator MWSS in 1997.

In a speech on Tuesday night, President Duterte lashed out at the water concessionaires after a review conducted by the DOJ showed the water contracts were "onerous and disadvantageous to the people, relative of the terms or periods, government noninterference, as well as concessionaire indemnification for losses."

Due to the two provisions, the government was ordered by the Singapore arbitration court to pay Maynilad about P3.6 billion and, recently, P7.4 billion to Manila Water as compensation for losses and damages.

The DOJ chief said another onerous provision is the extension of these contracts to 2037 considering that the extension was granted 12 to 13 years before the original expiration of the 25-year concession agreements in 2022. *With PIA*



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DOJ to push for scrapping water deals

By JOEL R. SAN JUAN
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JUSTICE Secretary Menardo Guevarra said on Thursday the government will push for the scrapping of the 1997 concession agreements between the Metropolitan Waterworks and Sewerage System (MWSS) private firms Maynilad Water Services and Manila Water. These were onerous and disadvantageous to the government and the consuming public, he said.

The government, Guevarra also said, is unlikely to enter into a compromise agreement with the concessionaires in connection with the ruling of The Permanent Court of Arbitration in Singapore last month, directing it to pay Ayala-owned Manila Water P7.39 billion

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to compensate it for losses suffered between June 2015 and November 2019.

Also last year, the arbitration court held that the government was liable to pay the Manny V. Pangilinan-led Maynilad P3.4 billion due to the Philippine government's refusal to allow it to increase prices from 2013 to 2017.

"The government is more interested in getting a new deal than in compromising the arbitral award," Guevarra said, in apparent reference to Manila Water's statement on Wednesday that it had reached out to Finance Secretary Carlos Dominguez III to convey its willingness to negotiate on the implementation of the award, considering that the penalties were meant for previous administrations, not Duterte's.

Manila Water has disclosed that it is discussing with the Department of Finance the possibility of coming up with a compromise agreement regarding the P7.3-billion refund ordered by the Singaporean arbitral tribunal.

Economic sabotage

EARLIER, Duterte lambasted Manila Water and Maynilad, and threatened to file a case of economic sabotage against the two water firms due to the

"onerous" 1997 contracts with the government.

Duterte made the remark after the Justice department found the extension of these contracts to 2037 irregular, considering that the extension was granted 12 to 13 years before the original expiration of the 25-year concession agreements in 2022.

The President had ordered the DOJ review during the water crisis last summer and before the ruling of the arbitral court was released.

Guevarra said as of the moment, the DOJ is looking into all legal options against Manila Water and Maynilad. At the same time, it would start drafting a new version of the concession agreement sans the provisions that are contrary to law and public policy, and prejudicial to the interest of the consuming public.

The DOJ secretary stressed that the government is not barred from questioning the concession agreements, although these have been in force since 22 years ago.

"The State is not estopped by the mistakes of its agents, especially if the acts committed are constitutionally or legally infirm, and the statute of limitations does not apply if the act sought to be set aside is void for being contrary to law or public policy. In any event, there is a standard separability clause that leaves other valid provisions effective," Guevarra explained.

Rody: We will not pay billions to water firms

BY JOCELYN MONTEMAYOR

PRESIDENT Duterte yesterday rejected an arbitration ruling ordering the Philippine government to pay a private water concessionaire more than P7 billion in compensation following losses that they incurred for the past four years.

"Yayarin ko sila. Pag dinemanda nila tayo diyan sa... hindi magbayad ng P7 billion (I will destroy them. If they sue us here at the... we will not pay P7 billion)," Duterte said during his visit to Legazpi City in the aftermath of Typhoon Tino.

Duterte again ranted against private concessionaires Manila Water Company

and Maynilad Water for the "onerous" and "disadvantageous" contracts that they made with the government in 1997.

He even threatened to go to the offices of the water firms to lock them up and burn them to the ground.

Duterte said he is not scared of going to jail since he is already old and he is ready to assume responsibility for his actions.

The President said he was pissed off as the country had surrendered everything including its sovereignty when the onerous contracts were made and signed.

Chief Presidential Legal Counsel Salvador Panelo earlier on Thursday said

the government will not pay the billions of pesos worth of compensation that the Permanent Court of Arbitration (PCA) has awarded to the Manila Water Company and Maynilad Water because the decision was based from an "onerous" contract.

Panelo, when asked if the government will pay the over P10 billion damages to the two utility firms, said: "Hindi kami nga onerous iyung kontrata eh, masyadong disadvantageous sa gobierno (No, because the contract is onerous, it is too disadvantageous to the government)."

The PCA has ordered the Philippine government to pay Manila Water P7.39

billion to compensate for the losses that the company incurred from June 2015 to November 2019, and to pay Maynilad P3.4 billion for its losses from 2013 to 2017 after the government rejected its bid to increase water rates.

President Duterte the other night threatened to charge the water concessionaires with economic sabotage for abusing the agreements and milking the people using the onerous contracts.

Duterte had hinted that the international court's decisions were biased, claiming that private investors had a stake

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or alliance with the arbitral court.

Panelo echoed the Presidents observations, alleging that the PCA decision did not find anything wrong with the water deals because they were "partners."

"Eh magkakakampi iyang mga iyan eh. Kaya alam mo, iyang mga may-ari niyan, may mga interlocking corporations iyan (They are all partners. Those owners have interlocking corporations)," Panelo, concurrent presidential spokesman, said.

Panelo said he is not aware as to when the economic sabotage charges will be filed, leaving the discretion to the Department of Justice (DOJ) which he said was still looking into the issue.

He said that apart from the water concessionaires, the government is also looking at charging the people behind the contracts.

Panelo said even government representatives that were supposed to promote and protect the interest of the people and the country appeared to have colluded with the private water firms.

Justice Secretary Menardo Guevarra said the government is studying what legal actions it can take against the two water concessionaires, including challenging the decision of the PCA.

"We are still studying our legal options. Our legal remedies are not mutually exclusive. The Office of the Solicitor General is contemplating of judicial remedies here and or

abroad," Guevarra said when asked for an update on the matter.

He said the grounds for appealing the ruling of the arbitration court depends on the Office of the Solicitor General (OSG) as the DOJ is not privy to what happened in the arbitration proceedings.

Guevarra said that if the water concessionaires will be "constrained" to enforce the arbitral ruling here in the country, the government will oppose the move before the proper court.

"In terms of local enforcement, that's a totally different ball game because we can oppose the enforcement on grounds that it's contrary to public policy and so on," Guevarra said.

He said right now some members of the Cabinet want an overhaul of the existing concession agreements while others are thinking of more drastic actions.

"PRRD has asked the DOJ to come up with an integrated solution. We'll do. We'll probably start with the drafting of a new version that excises all provisions in the concession agreement that we believe are contrary to law and public policy, as well as those that are highly prejudicial to the interest of the consuming public," Guevarra said.

The DOJ chief said the government is more interested in getting a new deal that in compromising the arbitral award.

Panelo said the President has already ordered the DOJ and OSG to draw up new water contracts.

Duterte the other night ordered Solicitor General Jose Calida and Finance Secretary Carlos Dominguez III to make sure that the new contracts will be equitable to the country, the people and the government.

Panelo said the President has the power to rescind the water contracts if it is proven to be detrimental to public interest.

"Sa Saligang Batas, ang pangunahing tungkulin ng Pangulo ay pagsilbihan at proteksyunan ang taong bayan. So on the basis of that, the President can do things that can either annul, rescind contracts kung saan arranged or agreed against the interest of the people or public policy (Under the Constitution, the primary duty of the President is to serve and protect the people. So on the basis of that, the President can do things that can either annul, rescind contracts if the arrangement or agreement is against the interest of the people or public policy)," he said.

Guevarra affirmed that the government is not barred from seeking changes or amendments in the concession agreements with Maynilad and Manila Water, especially if the provisions concerned are legally infirm.

Guevarra said "there is also a contractual provision on amendments to the concession agreement" that the government can use.

"The State is not estopped by the mistakes of its agents, especially if the acts committed are constitutionally or legally infirm and the statute of limitation does not apply if the act sought to be set aside is void for be-

ing contrary to law or public policy," he said, citing previous jurisprudence on the matter by the Supreme Court.

"In any event, there is a standard separability clause that leaves other valid provisions effective," Guevarra added.

Among the "onerous" and "disadvantageous" provisions found by the government include the prohibition against government's interference in rate-setting, the provision on indemnity for possible losses in the event of such government interference, and the extension of the concession agreement until 2037 even before the lapse of the original term in 2022.

The prohibition against government interference in rate-setting and the provision on indemnity for possible losses in the event of such interference were cited by Maynilad and Manila Water when they brought their financial losses before the arbitral court.

Dasmariñas City Rep. Elpidio Barzaga Jr. on Thursday filed a resolution seeking a congressional investigation into the Manila Water's demand for compensation.

Barzaga, chair of the House committee on environment, filed the resolution after Duterte threatened to scrap the concession agreement entered into by Manila Water and Maynilad with the Metropolitan Waterworks and Sewerage System (MWSS) in favor of a new one which he said would "really (be) favorable to public, to government." — *With Ashzel Hachero and Wendell Vigilia*



PACC to probe water deals

BY CATHERINE VALENTE

PRESIDENT Rodrigo Duterte has enlisted the help of the Presidential Anti-Corruption Commission (PACC) in the investigation of the contracts given to the country's two water concessionaires, which the Chief Executive had denounced for being disadvantageous to the public.

PACC Commissioner Greco Belgica pledged to help assist the President in the investigation "come hell or high water."

"Sabi po ng Pangulo sa akin, tulungan ko daw po sya sa labang ito. And I will do it 100 percent without reservations, dahil tama po s'ya, niloloko po tayo at pinagnanakawan sa mga kayamanan na bigay ng Diyos sa tao. Ang labang ito ay para sa Pilipino (The President asked me to help him in this fight. He is right, we are

being robbed of our natural wealth given by God," Belgica said.

"Water and land are God-given resources. It should not be fully controlled by any man, business or government at the detriment of the people. They can ask payment for the services they render. But we cannot allow businessmen to hold our waters or natural resources hostage. *Hindi kanila 'yan. Wala pa tayo sa mundo, may tubig at lupa na. Tapos ngayon hawak*

nila at bibenta satin at gagawin nilang commodity ang tubig na libre binigay ng Diyos sa tao (That's not theirs. Water has always been there. Now they want to control it and sell it to us, water given by God to man)," he added.

"We will look at this and help stop this greed that controlled our country for decades," Belgica said.

The President has threatened to file

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PACC to probe water

charges against those who were involved in the drawing of the water agreements with Manila Water Co. Inc. and Maynilad Water Services Inc. He ordered the Department of Justice to draft new agreements that are favorable to the state.

Belgica said he would look into the contracts and submit recommendations to the President.

"Control awarded to service providers such as Manila Water and Maynilad is not absolute and should not be used against the interest of the Filipino people," he added.

Malacañang said on Thursday that the President could still rescind the "onerous" concession agreements signed between the government and the two water companies.

Palace spokesman Salvador Panelo stressed that Duterte has the Constitutional power to "annul or rescind" any contract that is "against the interest of the people and public policy."

"*Lahat 'yan pwede. Actually, 'yung batas, ang pangunahing tungkulin ng Pangulo ay pagsilbihan at proteksyunan ang taumbayan* (All of these are possible. Under the law, the President's main duty is to serve and protect the public)," Panelo said in a radio interview.

"So, on the basis of that, the President can do things that can either annul [or] rescind contracts done or arranged or agreed against the interest of the people and against public policy," he added.

The President recently announced plans to sue and jail the persons behind the 1997 contracts after a Singapore-based arbitration court directed the government to

pay billions of pesos to the two water companies for losses over disapproved rate adjustments.

Panelo said the Duterte administration was bent on filing criminal, civil and administrative charges against the owners of two water companies and their cohorts in government.

"Under the Constitution, all natural resources of the Philippines, including water, belong to — and are owned by — the State. It is indisputable that water is intended for the use, enjoyment and welfare of the citizens," he said.

Manila Water is a subsidiary of Ayala Corp., while businessman Manuel V. Pangilinan's Metro Pacific Investments Corp. owns a controlling stake in Maynilad.

The two companies distribute water in Metro Manila and nearby provinces.

Meanwhile, Bagong Henerasyon party-list Rep. Bernadette Herrera said the water concessionaires failed to meet some of the terms of agreement in the contract.

"No one monitors their compliance," the lawmaker said.

She urged the government to review the performance of the two water distributors before the contract extends.

Herrera said in 2004, Manila Water and Maynilad formed a technical working group that dismissed the Commission on Audit, saying they should not be audited because they were acting only as "agents."

The lawmaker pushed for the creation of the Water Regulatory Commission that will regulate the functions of all water bodies in the government.

WITH DIVINA NOVA JOY
DELA CRUZ



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PH won't pay,

will sue—Rody

'Water firms told deals 'onerous'

By MJ Blancaflor,
Rey E. Requejo, Rio N. Araja
and Maricel V. Cruz

THE government said Thursday it would not pay P10.8 billion to private water concessionaires as ordered by a Singapore-based arbitration court, arguing that the concession agreements with the two companies were unfavorable to the country.

Presidential Spokesman Salvador Panelo also said President Rodrigo Duterte has the constitutional power to revoke the "onerous" deals signed with Maynilad and Manila Water in 1997.

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Asked if the government would pay the court-mandated fines, Panelo said: "No, because the deal is onerous. It's really disadvantageous for the government."

President Duterte on Tuesday expressed outrage over the order of the Permanent Court of Arbitration to pay the Ayala-owned Manila Water P7.4 billion and Pangilinan-led Maynilad P3.4 billion for their respective losses since the state did not allow the companies to increase prices years ago.

The two utility companies distribute water in Metro Manila and its nearby provinces under agreements signed with the Metropolitan Waterworks and Sewerage System during the Ramos administration, which carried a provision that pushes the government to "indemnify" the company against any loss that could result from the regulator's actions.

As regulator, the MWSS approves or rejects petitions for water rate adjustments.

Duterte directed the Department of Justice to file charges against all those involved in the contracts with the utility firms, including their owners, legal counsels, and government lawyers for "economic sabotage."

"Let us stop this business of milking the people," Duterte said Tuesday.

He also asked the DOJ, along with the Office of the Solicitor General, to draft and prepare new "covenants that are favorable to the state and the Filipino people."

Panelo, who is also Duterte's chief legal counsel, said the President can rescind the contracts with Maynilad and Manila Water if they are against the interest of the people.

The DOJ reviewed the contracts upon Duterte's order amid the water crisis earlier this year.

Meanwhile, a law professor said that Maynilad and Manila Water could reinforce the ruling of the Singapore-based PCA if they file a case in a local court.

"The winning party should file in a Regional Trial Court in the country so the arbitral ruling could be recognized, so it can be enforced in the Philippines," lawyer and UP professor Rowena Daroy-Morales told GMA News in an interview.

Justice Secretary Menardo Guevarra said the government is unlikely to enter into a compromise agreement with the two concessionaires.

"The government is more interested in getting a new deal than in compromising the arbitral award," Guevarra

said in a text message.

Manila Water earlier said it was discussing with the Department of Finance the possibility of coming up with a compromise agreement regarding the P7.3-billion refund ordered by the Singaporean arbitral tribunal.

Guevarra said the Department of Justice found the extension of the contracts to 2037 irregular, considering that the extension was granted 12-13 years before the original expiration of the 25-year concession agreements in 2022.

The DOJ conducted the review upon directive of President Duterte during the water crisis last summer and before the ruling of the arbitral court was released.

Guevarra said the DOJ is currently looking into all legal options against Manila Water and Maynilad and at the same time it would start drafting a new version of the concession agreement without the provisions that are contrary to law and public policy and prejudicial to the interest of the consuming public.

The DOJ secretary pointed out that the government is not barred from questioning the concession agreements although these have been in force for 22 years ago.

"The State is not estopped by the mistakes of its agents, especially if the acts committed are constitutionally or legally infirm, and the statute of limitations does not apply if the act sought to be set

aside is void for being contrary to law or public policy," Guevarra said.

Ramoncito Fernandez, Maynilad president and chief executive officer, said he already knew of what the Duterte administration would want to look into the provisions of their agreement with the MWSS.

"We have an idea of what the government wants reviewed. We are just waiting for the formal communication to be sent to us," he said. "We are willing to sit down and discuss with the government."

Also on Thursday, Dasmariñas City Rep. Elpidio Barzaga Jr. called for a congressional investigation into the private water concessionaires, saying they failed to deliver efficient water services. Despite

Manila Water's dismal performance in its Manila concession, it has won 11 new projects in 2018 through its Manila Water Philippine Ventures, he said.

On the other hand, Barzaga said, despite its claim of losses, Maynilad reported a net income of P7.3 billion in 2018, up from P6.8 billion in 2017. According to its 2018 Annual Report, its core income increased by 5 percent due to the combined effect of a 3 percent growth in billed volume and several rounds of tariff increases.



12-06-19

TITLE

PAGE 1/

DATE

Probe water firms' losses claim — solon

By Jester P. Manalastas

A HOUSE leader filed a resolution calling for an investigation into the P7.3 billion that the government has been ordered to pay for the losses of two water concessionaires.

Cavite Rep. Elpidio "Pidi" Barzaga Jr. has filed House Resolution 572 directing the appropriate committee to conduct an investigation into the ruling of the Permanent Court of Arbitration (PCA) in Singapore on the concessionaire agreements of Manila Water and Maynilad.

Based on the ruling, the Philippine government has to pay Manila Water P7.3 billion for the company's losses from June 1, 2015 to November 22, 2019 and the amount paid to the PCA, and 85% of other claimed costs as a result of the arbitration that Manila Water filed in 2015 after the government

refused to pay its demand amounting to P79 billion from 2015 to 2017 when it was not allowed to raise tariffs.

Barzaga questioned the claim losses of Manila Water in view of reports that the company posted gross income of P6.5 billion in 2018 or 6 percent from 2017.

On the other hand, Maynilad reported a net income of P7.3 billion in 2018, up from P6.8 billion in 2017. According to its 2018 Annual Report, its core income increased by 5% due to the combined effect of a 3% growth in billed volume and several rounds of tariff increases.

How come there are losses of P7.3 billion when consumers suffered from water shortage? Barzaga asked.

"This brought misery to tens of thousands of Filipinos that still looms when the summer time comes," Barzaga lamented.

The chairman of the House Committee on Environment and Natural Resources reminded Manila Water and Maynilad that they still have to pay the government as a Supreme Court ruling fined them nearly P1 billion each for violating the Philippine Clean Water Act when it failed to put up sewage systems in their service areas 10 years ago.

The two firms have also been penalized by the Manila Water Sewerage System (MWSS) for service interruptions in their respective markets earlier this year.

"However, we have yet to see if these sanctions have been complied with," Barzaga added.

According to the Department of Justice (DOJ), the government stands to lose billions of pesos to Manila Water and Maynilad because of disadvantageous provisions prohibiting government interference in rate

setting and indemnity in case of interference.

Earlier, President Rodrigo Duterte threatened to charge the two water companies with economic sabotage.

Citing the DOJ report, the President said the concession agreement is full of onerous provisions.

He ordered Solicitor General Jose Calida and Finance Secretary Carlos Dominguez III to come up with a new water concession contract that is favorable to the public and the government.

Under an agreement signed in 1997 with the Metropolitan Waterworks and Sewerage System (MWSS), the two private water companies distribute water in Metro Manila and parts of Cavite and Rizal.



Gov't won't pay Maynilad, Manila Water

MALACANANG yesterday said that the government will not indemnify concessionaires Maynilad Water Services Inc. and Manila Water Company Inc. as ordered by an international arbitration court in Singapore.

The concession agreements with Maynilad and Manila Water were onerous, said presidential spokesperson Salvador Panelo. So the government will not comply with the arbitration court's decision.

"Hindi. Kasi onerous nga'yung kontrata. Masyadong disadvantageous sa gobyerno," Panelo said in a radio interview.

The Metropolitan Waterworks and Sewerage System's 1997 agreements with the water concessionaires prohibit any government interference in rate-setting and provide an indemnity clause in case of such interference.

Justice Secretary Menardo Guevarra has said the provisions were the reasons why the government was ordered by an arbitration court in Singapore to pay Maynilad around P3.6 billion and Manila Water P7.4 billion as compensation for losses or damages.

"Mayroong mga tinatawag na kontratang labag sa public policy. Kapag iyan napatunayan ng hukuman, iyan ay ina-

annul, nire-rescind," Panelo said.

On Tuesday, an irate President Rodrigo Duterte accused the concessionaires of making billions of pesos from their customers while treating water as a commodity instead of public service.

DOJ solutions

Justice Secretary Menardo Guevarra yesterday said that President Duterte has asked the Department of Justice to come up with an "integrated solution" to the Metropolitan Waterworks and Sewerage System's (MWSS) 1997 concession agreements with water concessionaires Maynilad and Manila Water.

"Our legal remedies are not mutually exclusive. The OSG (Office of the Solicitor General) is contemplating of judicial remedies here and/or abroad. Some members of the Cabinet want an overhaul of the existing concession agreements. Others are thinking of more drastic actions. PRRD has asked the DOJ to come up with an integrated solution.

(That) we'll do," Guevarra said.

Guevarra reiterated that the government stands to lose billions of pesos to Maynilad and Manila Water because of two "disadvantageous" provisions in its 22-year-old agreements with the two water concessionaires.

Guevarra said these two provisions were the reason why the government was ordered by the arbitration court in to pay the water concessionaires hefty amount.

These are also the "most notable" among a dozen provisions that the DOJ deemed "onerous or disadvantageous to the government and the consuming public" when it reviewed the agreements upon orders by President Rodrigo Duterte, Guevarra said.

Guevarra said Duterte ordered the review at the height of the water crisis earlier this year, but that the matter was not discussed by the Cabinet until last November and again on Monday night for updates. **EMontano, Hector Lawas**



Gov't won't pay Maynilad, Manila Water – Palace

By GENALYN D. KABILING

The government is not inclined to pay billions of pesos to two water concessionaires despite an order from arbitration court due to the alleged disadvantageous water distribution contracts, according to a Malacañang official.

Presidential Spokesman Salvador Panelo asserted that the President has the authority to rescind any government contract found contrary to public policy and public interest and craft a new deal that will be favorable to the nation.

A Singapore-based arbitration court recently directed the government to reimburse Manila Water for losses amounting ₱7.4 billion over a rate dispute. The arbitral award came following a 2017 court ruling on the payment of ₱3.6 billion to Maynilad Water Services Inc. as compensation for losses.

"Hindi. Hindi kasi onerous ang kontrata. Masyadong disadvantageous ang gobyerno," he said in an interview over DZXL when asked if the President will reimburse the water companies for their supposed losses as ordered by the court.

President Duterte earlier ordered the filing of economic sabotage charges against the owners of

the two water companies and their cohorts in government over the alleged onerous concession agreements. Among the contract provisions that angered the President are the prohibition against government in rate adjustments as well as indemnity claims for losses or damages in case of such interference.

The President blew his top over the water deals following the latest arbitration award in favor of the Ayala-operated Manila Water.

Panelo however maintained the President could revoke the alleged onerous water contracts.

He said the water concession agreements were onerous and disadvantageous to the people in relation to the terms or periods, government non-interference, as well as concessionaire indemnification for losses.

PUBLIC INTEREST

Panelo has reminded the two water concessionaires that the use and delivery of water, which is impressed with public interest, should not be abused.

"Ang tubig ginawa nilang commodity imbes na natural resource. Alam mo kapag natural resource, ibig sabihin 'yung lahat ng natural resources ang intention nun para sa welfare, sa paggamit ng tao. In other words, it's impressed with public

character, public interest," Panelo said.

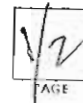
Panelo, meantime, said they suspected "sabwatan" or a conspiracy among the water company officials and some government officials over the alleged irregular water deals. He lamented that it was only in the Philippines that the government is required to pay the water companies in case of revenue loss.

He said the government was also opposed to a provision in the water agreements that prevented the government from interfering with the rate adjustments.

Panelo also found irregular that the water contracts have already been extended until 2037. He said the extension was granted 13 years before the original expiration 25-year agreements in 2022.

The water concession contracts were placed under review by the Department of Justice upon the President's order during the water shortage early this year. The justice department has found at least 12 onerous provisions in the water contracts.

President Duterte has already ordered the justice department to craft new agreements that will be favorable to the government and the people.



Nababahala sa bagong concession agreement

PAGE 2

KOSTUMER NG MANILA WATER

2 REMATE 06 DISYEMBRE 2019 BIYERNES

Nababahala sa bagong concession agreement KOSTUMER NG MANILA WATER

NAGPAHAYAG ng pangamba ang mga customer ng Manila Water lalo na ang mga nasa depressed area dahil sa kautusan ni Pangulong Rodrigo Duterte na baguhin ang concession agreement sa pagitan ng gobyerno at Manila Water at Maynilad.

Nababahala ang mga mahihirap na residente na umaasa sa murang tubig partikular ng Manila Water na baka lalong magmahal ang binabayad nila

sa tubig.

Sinabi ni G. Gildo Aviles ng 28 Bai Compound, Visayas Ave. Quezon City na dalawang dekada ng customer ng Manila Water na huwag namang pagbuntunan ng sisi ang kompanya dahil malaking ginawa ang hatid sa kanila ng Manila Water.

"Malaking bagay ang Manila water sa aming mahihirap, lalo na ang mga nasa depressed area. Mula nang pasukin ng Manila Water ang patubig sa mga

barangay lalo na rito sa amin ay nakatulong talaga nang malaki," pahayag ni G. Aviles.

Noon aniyang hawak ng MWSS ang tubig ay hirap silang magkaroon ng sariling metro ng tubig dahil maraming hinahanap na dokumento katulad ng titulo ng lupa. Wala silang mallabas dahil pag-aari niya ng gobyerno ang lupang kinatitirikan ng kanilang bahay.

Nang dumating umano ang Manila Water ay laking tuwa nila

dahil wala nang hininging mga reksitos at nabigyan na sila ng sari-sariling metro ng tubig.

Ang sariling metro ng tubig ay nagresulta din aniya ng murang bayarin sa tubig bukod pa sa 24-oras silang may tubig.

"Hindi lang ako nasa 400 na kami dito sa barangay ang may sariling metro ng tubig," pagbibida pa ni G. Aviles.

Katulad ni G. Aviles ay umapela rin si Kagawad Ives Ebrada ng 1727 Escuela St

Guadalupe Nuevo Makati kay Pangulong Duterte.

Para naman kay G. Ebrada, 1996 pa sila naging customer ng Manila Water at laking ginawa talaga ang serbisyo nito sa kanilang barangay.

Labis din aniya ang kasiyahan n'ya dahil nagkaroon sila ng tatalong stand pipe na kagaya ng fire hydrant.

Matalandaang nagbenta rin ang Pangulo sa Manila Water at Maynilad na kakasuhan at ipakukulong ang mga opisyal ng dalawang nabanggit na water concessionaire. **RNT**



GOBYERNO WALANG PLANONG BAYARAN ANG 2 WATER FIRM

Nanindigan ang Palasyo na "onerous" ang kontrata kaya't walang planong magbayad ang gobyerno ng mahigit P10-bilyon sa dalawang water concessionaires kahit inatasan ito ng Singapore arbitration court.

"Hindi magbabayad, kasi nga onerous 'yung kontrata eh, masyadong disadvantageous sa gobyerno," wika ni Presidential Spokesman Salvador Panelo.

Inatasan ng Permanent Court of Arbitration sa

Singapore ang gobyerno ng Pilipinas na bayaran ang Ayala-owned Manila Water ng P7.39-bilyon dahil sa lugi nito mula June 2015 hanggang November 2019. Habang pinagbabayad din ng korte ang Pilipinas sa Maynilad ng P3.4 billion dahil sa hindi pagpayag na magtaas ng singil sa tubig mula 2013-2017.

Inakusahan ni Pangulong Rodrigo Duterte ang dalawang water companies na ginatasan ng bil-

yon ang mga customers nito at naniniwala ang Pangulo na onerous ang kontrata na pinasok ng gobyerno noong 1997 kaya inatasan nitong bumalangkas ng bagong kontrata na hindi lugi ang gobyerno. -*Rudy Andal-*



TITLE:

Sa hirit na bagong concessionaire

'WATER DEAL' NG PANGULO, PUBLIKO KABADO

HATAW News
Team

NANGANGAMBA ang mga customer ng Manila Water lalo ang nasa depressed areas dahil sa kautusan ni Pangulong Rodrigo Duterte na baguhin ang concession agreement sa pagitan ng gobyerno, Manila Water at Maynilad.

Nababahala ang mahihirap na residente na umaasa sa murang tubig partikular sa serbisyo ng Manila Water na baka higit na magmahal ang ibinabayad nila sa tubig.

Sinabi ni Gildo Aviles ng 28 Bai Compound, Visayas Ave. Quezon City, dalawang dekada nang customer ng Manila Water na huwag namang pagbuntunan ng sisi ang kompanya dahil malaking ginhawa ang hatid sa kanila ng Manila Water.

"Malaking bagay ang Manila Water sa aming mahihirap, lalo ang mga nasa depressed area. Mula nang pasukin ng Manila Water ang patubig sa mga barangay lalo na rito sa amin ay nakatulong talaga nang malaki," pahayag ni G. Aviles sa isang panayam.

Noon aniya ng hawak ng MWSS ang tubig ay hirap silang magkaroon ng sariling metro ng tubig dahil maraming hinahanap na dokumento katulad ng titulo ng lupa ngunit wala silang mailabas dahil pag-aari niya ng gobyerno ang lupang kinatitirikan ng kanilang bahay.

Nang dumating umano ang Manila Water ay laking tuwa nila dahil wala nang hininging mga rekisitos at nabigyan na sila ng sari-sariling metro ng tubig.

Ang sariling metro ay nagresulta rin niya ng murang bayarin sa tubig bukod sa 24-oras silang may serbisyo.

"Hindi lang ako, nasa 400 kami rito sa barangay ang may sariling metro ng tubig," pagbibida ni G. Aviles.

Katulad ni Aviles ay umapela rin si Kagawad Ives Ebrada ng 1727 Escuela St., Guadalupe Nuevo, Makati kay Pangulong Duterte, "Sana mabuksan ang isipan ng Pangulo, sana ay 'wag siyang magpadalos-dalos kung totoong para sa mahihirap at ordinaryong Filipino siya ay huwag niyang tutulan ang Manila Water dahil malaking tulong ito sa amin," pahayag ni Kag. Ebrada.

Para kay Ebdara, 1996 pa sila naging customer ng Manila Water at laking ginhawa talaga ang serbisyo nito sa kanilang barangay.

"Kung dati ay nag-iigib pa ako ng tubig sa mga karatig-barangay namin, ngayon ay hindi

na dahil sa maayos na serbisyo ng Manila Water," ayon kay Ebrada.

Labís din aniya ang kasiyahan niya dahil nagkaroon sila ng tatlong stand pipe na kagaya ng fire hydrant. "Laking pasalamat ko sa Manila Water at binigyan niya kami ng tatlong stand pipe na ikinalat sa mga lugar namin. Hindi man makapasok ang fire truck siguradong ligtas kaming lahat, hindi lang buhay, kundi maging ang aming mga ari-arian," ani Ebrada na bukod sa isang kagawad ay tumatayo ring fire volunteer.

"Pag tinanggal ang Manila Water saan kaming mga fire volunteer kukuha ng tubig?" apela ng maasahang barangay kagawad at fire volunteer.

Matatandaang nagbanta ang Pangulo sa Manila Water at Maynilad na kakasuhan at ipakukulung ang mga opisyal ng dalawang nabanggit na water concessionaire.

P7.3-B SINISINGIL NA DANYOS NG MANILA WATER SA GOV'T TABLADO KAY DIGONG

HINDI babayaran ng administrasyong Duterte ang P7.3 bilyon sa arbitration case na napanalunan ng Manila Water sa arbitral tribunal sa Singapore.

Ayon kay Presidential Spokesman Salvador Panelo, sa una pa lamang agrabyado na ang gobyerno at publiko sa kontratang pinasok ng pamahalaan ng Manila Water.

Sinisingil ng Ayala-led Manila Water ang pamahalaan nang mahigit P7 bilyong danyos dahil sa pagharang sa pagtataas ng singil sa tubig nang nakaraang administrasyong Aquino.

Sa ngayon, ani Panelo, ang Department of Justice (DOJ) ang bahalang magsampa ng kasong economic sabotage sa mga may-ari ng Manila Water at maging sa Maynilad ni Manuel V. Pangilinan.

Nanindigan ang Palasyo na may kapangyarihan si Pangulong Duterte naa bawiin o ipawalang bisa ang tagilid na kontrata ng mga pribadong kompanya sa pamahalaan gaya

halimbawa ng dalawang water concessionaires.

Ayon kay Panelo, nakasaad sa Konstitusyon na pangunahing tungkulin ng Pangulo ay pagsilbihan at proteksiyonang taong bayan.

Una nang binatikos ng Pangulo ang Maynilad at Manila Water dahil ginawang gatasan ang gobyerno at taong bayan.

Giit ni Panelo, hindi lang ang mga may-ari ng Maynilad at Manila Water ang hahabulin ng pamahalaan kundi maging ang mga mambabatas, abogado at iba pa na kasama sa pagbalangkas ng tagilid na kontrata.

(ROSE NOVENARIO)

MANILA WATER BUBUSISIIN SA KAMARA

PINAIIMBESTIGAHAN ni Dasmariñas City Rep. Elpidio Barzaga, Jr., ang Manila Water kauganay sa hinihingi nitong kabayaran sa 'loses' na nagkakahalaga ng P7.39 bilyones.

Ang hirit ng Manila Water ay ginawa kasunod ng pagbabawal sa hinihingi nilang pagtaas sa presyo ng singil sa tubig mula 2015 hangang 2017.

Inihain ni Barzaga ang resolusyon kasunod ng banta ni Pangulong Rodrigo Duterte na ipasawalang bisa ang concession agreement ng Manila Water at Maynilad sa Metropolitan Waterworks and Sewerage System (MWSS).

Ani Duterte, dapat maghanap ang gobyerno ng concession agreement na paborable sa taong bayan at sa gobyerno.

Ang Permanent Court of Arbitration's (PCA) sa Singapore ay nag-utos na bayaran ng gobyerno ang Manila Water ng P7.39 bilyon mula 1 Hunyo 2015 hangang 22 Nobyembre 2019.

Naghain ng kaso ang

Manila Water matapos tanggihan ng gobyerno ang hiling nitong bayaran sila ng gobyerno ng P7.39 bilyones mula 2015 hangang 2017 dahil sa "lost revenues" sa pagbabawal na itaas nila ang singil sa tubig.

"After the concessionaire... it was the P7.39 billion comes after the country went through a recent water shortage that brought misery to tens of thousands of Filipinos that still looms when the summertime comes," ani Barzaga sa naturang resolusyon.

Sinabi ni Barzaga sa resolusyon, maliwanag sa taong bayan na hindi tumupad ang Manila Water at Maynilad sa pagbibigay ng maayos na serbisyo sa tubig.

"Unfortunately, despite Manila Water's dismal performance in its Manila concession, it has won eleven (11) new projects in 2018 through its Manila Water Philippine Ventures," ani Barzaga.

Kinuwestiyon ni Barzaga ang Manila Water sa sinasabi nitong "losses" sa kabila ng gross income nitong P6.5 bilyones.

Ani Barzaga, ang Maynilad naman ay may "reported net income of P7.3 billion in 2018, up from P6.8 billion in 2017."

(GERRY BALDO)



Manila Water 'di matatawaran ang serbisyo

NAGPAHAYAG ng pangamba ang mga customer ng Manila Water lalo na ang mga nasa depressed area dahil sa kautusan ni Pangulong Rodrigo Duterte na baguhin ang concession agreement sa pagitan ng gobyerno at sa dalawang water concessionaire ng Metropolitan Waterworks and Sewerage System (MWSS).

Nababahala ang mga mahihirap na residente na umaasa sa murang tubig partikular ng Manila Water na baka lalong magmahal ang binabayad nila sa tubig.

Sinabi ni G. Gildo Aviles ng 28 Bai Compound, Visayas Ave. Quezon City na dalawang dekadang customer ng Manila Water na huwag namang pagbuntunan ng sisi ang kompanya dahil malaking ginhawa ang hatid sa kanila ng Manila Water.

"Malaking bagay ang Manila water sa aming mahihirap, lalo na ang mga nasa depressed area. Mula nang pasukin ng Manila Water ang patubig sa mga barangay lalo na dito sa amin ay nakatulong talaga ng malaki," pahayag ni Aviles sa isang panayam.

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Nang dumating umano ang Manila Water ay laking tuwa nila dahil wala nang hininging mga rekisitos at nabigyan na sila ng sari-sariling metro ng tubig.

Ang sariling metro ng tubig ay nagresulta din aniya ng murang bayarin sa tubig bukod pa sa 24-oras silang may tubig.

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"Sana mabuksan ang isipan ng Pangulo, sana ay 'wag siyang magpadalos-dalos kung totoong para sa mahihirap at ordinaryong Pilipino siya ay huwag niyang tutulan ang Manila Water dahil malaking tulong ito sa amin," pahayag ni Kag. Ebrada.

Para naman kay G. Ebdara, 1996 pa sila naging customer ng Manila Water at laking ginhawa talaga ang serbisyo nito sa kanilang barangay.

"Kung dati ay nag-iigib pa ako ng tubig gamit sa mga karatig-barangay namin, ngayon ay hindi na dahil sa maayos na serbisyo ng Manila Water," ayon pa kay Ebdrada.

Matatandaang nagbanta din ang Pangulo sa Manila Water at Maynilad na kakasuhan at ipakukulong ang mga opisyal ng dalawang nabanggit na water concessionaire.

Sinabi pa ni Pangulong Duterte na mas makabubuting hawakan na lamang ng bilyonaryong negosyanteng si Manny Villar ang pagsu-supply ng tubig sa Metro Manila.

Si Villar ang may-ari ng Prime Water na siyang nagtakeover sa mga local water district at inuulan ng reklamo sa masamang serbisyo at kalidad ng tubig at sinita pa ng Commission on Audit.



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CARTOON

THE President threatens arrests over water contracts PAGE 1/2

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DATE





President threatens arrests over water contracts

President Duterte was in a fighting mood last Tuesday. He said the two water concessionaires – Manila Water and Maynilad Water Services – have been “screwing” the Filipino people with the concession deals they signed with the government “milking” Filipinos by the billions of pesos.

They were strong words from the President who has seldom been this angry. “I will file economic sabotage and I will arrest them, all of them,” he said. “I will let them experience how it’s like to go to jail.... I am sorry. I am ready to go but I won’t go without a bang. I will expose the rich who made money at the expense of the nation.”

The President spoke a few days after Manila Water, in a disclosure to the Philippine Stock Exchange on Friday, said that the Permanent Court of Arbitration (PCA) in Singapore has ordered the Philippine government to pay Manila Water ₱7.39 billion for four years of losses it had suffered because of the government’s breach of its obligation.

Two years earlier, the court had ordered the Philippine government to reimburse Maynilad, the other water concessionaire, ₱3.4 billion in revenue losses from January 1, 2013, to March 10, 2015. But the Philippine Supreme Court, last August, upheld a Department of Environment and Natural Resources (DENR) order penalizing the two concessionaires with combined fines of ₱1.8 billion for violating the Clean Water Act.

Buhay party-list Rep. Lito Atienza, former mayor of Manila and former secretary of the DENR, has long been calling on the two water concessionaires to meet their obligation to

establish sewage systems for their 14 million customers – with the result that Manila Bay is so polluted with garbage and human waste that DENR Secretary Roy Cimatu has said it will take ten years to clean it up.

Atienza has charged that the two companies have been making a lot of profits – an aggregate of ₱138 billion from 2006 to June, 2019. Some of the profits came from the 20 percent environmental charge and 30 percent sewer charge they have been collecting from customers, he said, adding: “They should have fully invested the revenue from these charges to build sewage networks and wastewater treatment facilities.”

Last August, the Supreme Court upheld a 2009 DENR order penalizing the two concessionaires and the Metropolitan Waterworks and Sewerage System (MWSS) ₱1.84 billion in combined fines and to continue to pay a daily fine of ₱322,102, that will escalate by 10 percent in two years, plus legal interest of 6 percent per annum.

Against all these legal decisions in the Philippines, the two concessionaires went to the Arbitral Court in Singapore which decided in their favor last week, ordered the Philippine government to pay them ₱7.39 billion.

President Duterte has now declared he will also file economic sabotage cases against the senators who agreed with the contract. He ordered Solicitor General Jose Calida and Finance Secretary Carlos Dominguez III to draft a new contract.

But it is the President’s threat to jail officials of the water concessionaires that bears watching. The President has not always been this angry. And he is not given to making empty threats.



Water monopolies' overflowing with greed

YOU
can't
blame
President
Duterte
for blow-



**RIGOBERTO
D. TIGLAO**

ing his top when he was told that the Ayala-owned Manila Water Co. Inc. had asked Finance Secretary Carlos Dominguez 3rd to pay ASAP the P7.4 billion that an arbitration panel in Singapore had awarded the firm just two weeks ago.

The panel ordered the Philippine government to compensate the firm for the alleged losses it incurred from 2015 to 2018 from slashing the tariffs it charges its customers.

► **TiglaoA5**



■ TIGLAO FROM A1

Water monopolies' overflowing greed

How the hell could that arbitration panel have ruled that way? How the hell could Manila Water allege that, when its own financial reports show that its net income from 2015 to 2018 totaled P25 billion. In fact, its average annual earnings in that period was P6.2 billion, increasing from the previous four years' (2011 to 2014) P5.6 billion (See table).

In fact, Manila Water was so profitable that during those years that it claimed the government had been making it lose a lot of money, it paid out to its shareholders dividends of P7 billion. From 2006 to 2018, profits from the monopoly that was put in its owners' banks totaled P16 billion. Manila Water has indeed been so profitable that its share prices have increased five times, from P6.2 in 2006 to P28 in 2018.

The two water concessionaires — Manila Water and Maynilad Water Services Inc. — have in fact been so profitable, or have been engaging in so much profit-seeking, that they have set up water distribution companies — which however are not monopolies — in other countries. Manila Water has operations in Vietnam, Indonesia and Thailand, and Maynilad in two Vietnam provinces.

And Manila Water still wants to wrench another P7.4 billion in taxpayers' money, ordered by a three-man panel of foreigners in Singapore, the country of the Ayalas' biggest partner in Globe Telecom Inc., the Singapore Telecommunications Ltd. or Singtel?

If that's not overflowing greed, I don't know what is.

Maynilad, on the other hand, mainly owned by the Indonesian oligarch Anthoni Salim, could even be greedier. How could Maynilad claim to the arbitration panel, and then to the Singapore Supreme Court, that it lost P3.43 billion from 2013 to 2017, when during that period it made P37 billion in profits? From 2009 to 2018 in fact, it reported total profits of P64.6 billion — bigger than the other monopoly's P55 billion.

PROFITS OF WATER MONOPOLIES

In Billions of Pesos

	Manila Water	Maynilad Water
2009	4.0	4.2
2010	4.0	4.8
2011	5.2	5.9
2012	5.4	6.4
2013	5.8	6.9
2014	5.8	9.6
2015	6.1	6.8
2016	6.2	6.9
2017	5.9	6.5
2018	6.5	6.6
TOTAL	54.9	64.6

Source: Firms' annual reports

Yet, Maynilad had the gall to petition another three-man panel in Singapore to order the Philippine government to pay an additional P3.4 billion for losses it incurred because the Metropolitan Waterworks and Sewerage System regulatory office refused to bow down to its demand to raise its tariffs?

The monopoly profits of the two companies that supply one of the most basic needs of humans, water, which a state is mandated to provide, in the past 10 years to 2018 (for which I was able to get data) amounted to P120 billion, according to their annual reports.

At an annual rate of P12 billion in profits, this monopoly supplying water is one of the most profitable businesses in the country. Some would call that insane.

And here's what would further make Duterte blow his top: Half of Manila Water and Maynilad's profits are pocketed by the globe's richest foreign capitalists.

Given metropolitan Manila's income distribution, 80 percent of its customers are from the lower classes and the poor who, because Manila Water and Maynilad are monopolies in their sector, are powerless to demand reasonable prices for that essential commodity called water.

Who pockets the billions of pesos in profits of the two firms, made possible because these are monopolies distributing water to the lower classes?

In the case of Manila Wa-



■ They own and/or control the water monopolies: the Zobel brothers; insets, the Indonesian tycoon Anthoni Salim and his executive. PHOTOS FROM COMPANY WEBSITES

ter, one of the richest companies in the country, Ayala Corp., gets 43 percent of its profits. Nearly that much, 38 percent, goes directly to foreigners through their holdings of Manila Water shares in the stock market.

But foreigners actually get 53 percent of Manila Waters' profits, as foreign entities (the biggest of which is the Japanese Marubeni Corp.) own 36 percent of Ayala Corp., so that they get this much from Ayala Corp.'s 43 percent income share.

In the case of Maynilad, 53 percent goes to the Hong Kong-based First Pacific Co., Inc., half of which is owned by the Indonesian tycoon Anthoni Salim, with 27 percent going to DCMI Holdings Inc., mainly owned by the construction-based Consunji clan. Foreign ownership of Maynilad could even be as high as 60 percent because a subsidiary of Marubeni Corp. of Japan has a 4 percent share, while DCMI Holdings has 15 percent foreign ownership.

Manila Water and Maynilad are owned mainly by foreigners, with the richest Filipinos as their partners, milking the 20 million residents of metropolitan Manila and several adjacent provinces about P12 billion yearly.

Now you understand why Duterte is so angry with these water firms, and the oligarchs

profiting from them, so much so that he said he's willing to die fighting these exploiters, even if this only sets a precedent that a president can fight them.

In nearly all countries in Asia (except tiny Singapore), public utility firms, because these provide crucial basic services to their citizens are owned by the state. Many of the world's biggest companies became big — such as the State Grid Corp. of China, Nippon Telegraph and Telephone Corp., Singtel — because they were monopolies, and therefore had captive markets.

Privatization has been the curse of the two Yellow regimes of Cory and Ramos, which were brainwashed by Americans with their neoliberal ideology, and in turn brainwashed the country that government is forever inefficient and corrupt and that it is better for the private sector — the oligarchs really — to run utility monopolies.

Instead, as in water and electric power industries, privatization has led to foreign control of strategic public utilities and with their oligarch-partners have only demonstrated their overflowing greed.

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Water: Too big a problem



"WATER, water everywhere but not a drop to drink." So goes the old saying. Considering that the Philippines is an archipelagic country, that seems hard to believe. But that is the harsh reality of our water situation. In Metro Manila, it is a familiar sight where residents line up with buckets and pails for water to use at home. However, this is not drinking water but to use for flushing down toilets and watering plants.

"This negligence might soon be in for a sea change."

Why not a drop to drink? Because water pipes in the city are either old, rusty and have holes that contaminate the precious liquid.

Keeping drinking water safe and pure is part of the condition in the contract signed by the water concessionaires with the government. This negligence might soon be in for a sea change.

Buhay Party-List Rep. Lito Atienza has found a strong ally in President Rodrigo Duterte against concessionaires Manila Water and Maynilad. Atienza's consistent and no letup criticism of the two companies has reached Malacañang and President Rodrigo Duterte.

Mincing no words, the President

in his indomitable firebrand language warned the Ayalas that if they don't shape up, he would cancel their contract, with government taking over water distribution. This must have shook up the company boardroom as the firm immediately offered what it claimed as an "acceptable solution for all." But Atienza doubts the Ayalas can offer an acceptable solution.

"It will just be an attempt to to hold off losing its contract," said Atienza who added that the concessionaires even want consumers to absorb alleged losses and slide in its profitability.

"How can the water concessionaires claim losses when they declare dividends annually to stockholders?" he asks.

This, aside from the fact the water concessionaires borrow millions of dollars in loans from the World Bank under sovereign guaranty, meaning if they default on payment it is the government that pays for the loan or the people as taxpayers.

"I salute the President with both my hands for recognizing my advocacy of this serious matter in the House of Representatives where I have been a lone voice against the water concessionaires' poor distribution service and lack of waste water manage facility," Atienza said. This, he said, results in water pollution and, consequently, water-borne diseases.

Atienza is pushing his resources advocacy to include putting a cap on electricity prices. This is not going to endear him to the water and electricity companies. Atienza said he does not care if the profit-oriented companies hate him as long as he fulfills his

Turn to A5



STRATEGIC
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Manila Standard

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Water: Too big...

From M

service to the people. Atienza's mission was accorded recognition by Philip-
pines Graphics by featuring him in its cover story.

The former secretary of Environment and Natural Resources under
then-President Gloria Macapagal Arroyo has been espousing his clean and
plenty of water advocacy all the way up to the Supreme Court when, under his
leadership, rejected the water concessionaires' case to pass on to consumers
its claim of losses.

The water concessionaires are big businessmen and therefore know the ac-
tual reality of risks that come with doing business, said Atienza, who has
been speaking up on the water problem in the last three Congresses.

He also asked House Speaker Alan Peter Cayetano whether he's a leader
or a dealer for big business. Cayetano, if the word among House members
is to be believed, might not be able to hold on to the Speakership because
of his lapses in the preparations for the on-going 30th Southeast Asian
Games. Among these lapses are shoddy transportation arrangements for
foreign athletic delegations arriving at the Manila International Airport,
screwed up hotel accommodations and bad food that did not consider halal
diet for Muslim athletes.



TITLE

Water politics

ON MONDAY night, Dec. 2, President Rodrigo Duterte lit up the Palace Christmas Tree. "I hope you will sincerely feel the warmth, abundance and happiness that this blessed season brings," he told the Malacañang people gathered around him. The Christmas tree is probably the tallest and brightest ever erected on the palace's historic grounds. It surely makes Malacañang the shining beacon of hope and happiness to us all in this merriest of seasons.

Tuesday evening, however, at Rizal Hall, in the presence of his Cabinet, Senate President Tito Sotto, and a handful of senators and congressmen, President Duterte was no longer in a Christmas mood.

Sleepless and sullen, he lashed out at three of the country's most venerable oligarchs—the Ayala family headed by Jaime Augusto Zobel de Ayala, Manuel V. Pangilinan of the PLDT and Salim group of Indonesia, and the Lopez family of ABS-CBN.

"I am sad at the recent turn of events," Duterte confided. On Friday



Nov. 29, listed Manila Water told the stock exchange it had won a Singapore arbitral award. It is to be paid by the Philippine government P7.39 billion for losses incurred from June 1, 2015

"Of course, they made money. That is what business is all about."

to Nov. 22, 2019 and for refund of other claimed costs. In 2015, Manila Water sued the national government for refund for the alleged losses. The case did not originate under Duterte.

Under a deal offered by the then President Fidel V. Ramos in 1997, Manila Water (of Ayala), won the

franchise to distribute water to the East Zone of the state-owned MWSS's water distribution territory, and Maynilad Water (of Pangilinan), for the West Zone. East Zone are homes and businesses along EDSA, from Quezon City to Alabang; West Zone are homes and businesses along Manila Bay, from Valenzuela to Las Piñas and Muntinlupa.

The deal was great: Any losses incurred by the concessionaires, the government would refund, provided the two companies meet certain water supply guarantees, plus sewerage service. Manila and Maynila provided the water but failed to provide the sewerage service but charged for it just the same. As it happened, Manila and Maynila collected more money than their owners invested in the water distribution business.

Of course, they made money. That is what business is all about.

Comes now Duterte warning, "not so fast, gentlemen." "We are being milked by the billions...I'm

Turn to A5



Water politics

From A4

really adamant about the Filipino being screwed. *Kawawa tao*," he exclaimed.

It seems the P7.39-billion arbitral bill came at the wrong time. "I want to revive Masagana 99 [Marcos's successful rice surplus program], [but] I have no money. People have nothing to eat. Now comes this [bill]," he related in Filipino.

What to do then? Well, Duterte asked his justice secretary, Menardo Guevarra, No. 2 in the 1985 bar and an economist, and his solicitor general, Jose Calida (he scored 100 in Criminal Law in the bar). Both are veteran government officials. With such legal advisers with gravitas and ordered by a fuming boss, of course, they found loopholes in the concession agreements of Manila and Maynilad Water.

So now, Duterte wants to prosecute the owners of Manila and Maynilad Water for economic sabotage. The President vowed to padlock them in jail, with Presidential Legal Counsel Sal Panelo adding, "with free board and lodging." Not only that, Duterte also vowed that if he sees Ayala [he did not specify who] at the lobby of Makati Shangri-La, he will slap him, "no matter how many bodyguards he has." *"Patikim ko sa inyo. Pakita ko sa Pilipino paano mag-sampal ng mga*

milyonaryo, bilyonaryo," he said.

Explained Duterte in Pilipino: "*At saka 'yung ating tubig—ating tubig, nilalagay nila not as a natural resource but a commodity. Papaano 'yan? Tubig, kailangan ng tao. It's a—lahat ng... 'Yun ang tinitira nila. Electric, tapos itong tubig. It's in the hands of the oligarch who are a [unclear] of the son of a b****.*"

At this point, he remembers the Lopezes. "Ang ABS-CBN, '*yung bunganga ng inyong* interest. They protect you. ABS-CBN has been a protector of your vested interest *na kayo ngayon mag-renew kayo ng contract.*" He vowed to stop ABS-CBN from renewing its franchise which ends on March 30, 2020.

The President remembers, happily, Manny Villar. "Villar started his housing at the sweat of his brow. *Tumanda si Villar diyan sa trabaho na 'yan*, including Mrs. Villar the senator. *Hirap 'yang kanila.*"

Interestingly, Manny Villar lately has gone into the water business. Will he get the Manila and Maynilad water concessions if things deteriorate?

Manila Water is owned 51 percent by Ayala; 16 percent by the public, including its employees. Maynilad, taken over by Manny Pangilinan from the Lopez family in 2007, is 64-percent-owned Metro Pacific Group-DMCI, and 20 percent by Marubeni.

At this point, Manila and Maynilad Water have four options:

One, return the water concessions;

it's too much hassle, for often, very little money.

Two, go to court, file an injunction against the government (one caveat: The justices and judges are scared of Duterte and so it will probably cost a hefty sum to convince them to look the other way).

Three, enter into a compromise, meet the government halfway. The brothers Jaime Augusto Zobel de Ayala and Fernando met with Finance Secretary Sonny Dominguez Wednesday, Dec. 4, "to find a mutually acceptable way to handle the arbitral decision."

Four, fight it out, wait out Duterte's three remaining years. In the meantime, water service in East and West of Metro Manila deteriorates because of the uncertainty.

Meanwhile, at 186, Ayala is the country's oldest commercial house. They are the original foreign and local investors. Ayala has been in worse times, having endured two revolutions (1896 and 1986), two World Wars, eleven coup attempts, and 17 Philippine presidents so far. It helped financed the two revolutions while playing both sides.

Though they look Caucasians, the Ayala-Zobels are genuine Filipinos at heart. They love the country. One has to truly love the Philippines to endure so much adversity—and triumphs, of course—in 186 years, more than six generations.

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FILE:

MABUTING subaybayan nating lahat ang inilunsad na giyera ni Pangulong Rodrigo 'Digong' Duterte laban sa dalawang monopolista sa tubig sa Mega Manila.

Sinabi ni Pangulong Digong na sasampahan niya ng kasong economic sabotage ang mga kompanyang Maynilad at Manila Water.

Kasama sa mga sasampahan niya rin ng mga kasong kriminal, administratibo at sibil ang mga taong mga opisyal ng nasabing mga kompanya, mga abogado nila, mga opisyal at abogado ng pamahalaan na kasabwat nila upang magawa ang kontrata sa konsesyon na labag sa batas o public policy at public interest at pabor lamang sa mga kompanya.

Inutusan na ng Pangulo ang Department of Justice at Office of the Solicitor General na gumawa ng reklamo na isasampa sa mga hukuman.

Reaksyon ang mga ito ng Pangulo makaraang iutos ng arbitration court sa Singapore na magbayad ang pamahalaang Pilipinas sa dalawang konsesyonaryo ng P7.40 bilyon dala umano ng pagkalugi ng mga ito sa pagharang ng pagtataas ng Hunyo 1, 2015 hanggang November 22, 2019.

ONEROUS CONTRACT

Onerous contract o pabor lamang sa mga kompanya ng tubig at hindi sa taumbayan at pamahalaan ang nilalaman ng kontrata sa konsesyon na ginawa noon pang 1997 at panahon ni ex-President Fidel Ramos.

Paliwanag ng Pangulo, kabilang sa mga mapagpasyang tadhana ng kontrata ang napakahabang panahon na hawakan ng mga kompanya ang distribusyon ng tubig, kawalan ng kapangyarihan ang pamahalaan na makialam sa problema rito at pagbabayad ng pamahalaan sa mga lugi ng mga ito.

Ginawa umano ang serbisyo sa tubig hindi bilang serbisyo-publiko kundi pagkakaperahan o gatasan lamang.

Idiniin din ng Pangulo na sa halip na bantayan ng mga ahente at abogado ng pamahalaan ang interes ng mamamayan at pamahalaan, sadyang tumalikod umano ang mga ito para sa kanilang pansariling interes.



GIYERA SA MONOPOLYO SA TUBIG MEGA MANILA

BAGONG KONTRATA

Bukod sa pagsasampag ng mga kaukulang kaso, nagpapabuo na rin ng Pangulo ng bagong kontrata upang maituwid ang lahat ng kaaliwaswasan sa kasalukuyang kontrata.

Dapat umanong tunay na diwa ng serbisyo publiko ang laman ng kontrata at pabor sa mamamayan at pamahalaan.

HINDI MAGBABAYAD

Tahasang ding ipinahayag ni Pangulong Digong na hindi magbabayad ang pamahalaan ayon sa kautusan ng arbitration court.

Ito'y sa gitna ng posibleng pag-apela ng pamahalaan sa desisyon ng arbitration court.

Ngunit higit sa karapatang mag-apela, ipinunto ng Pangulo na dinudugang lang ng mga kompanya ang mga mamamayan at pamahalaan sa bisa ng onerous contract na dapat na baguhin.

Kung may magagawa nga naman ang bagong kontrata, posibleng masama na maituwid ang "pandurugas" ng mga kompanya at mapawi ang claim ng mga ito sa nasabing dayuhang hukuman.

HINDI LUGI

Sa Kamara naman, ayon sa panimulang pagsusuri ni Dasmariñas City, Cavite Congressman Elpidio Barzaga, lumalabas na hindi tugma ang mga pinagsasabi ng mga kompanya na lugi sila.

Inilabas ni Barzaga ang ulat mismo nang kumita ito ng P6.5 bilyon noong 2015 o anim na porsyento kumpara sa nagdaang taon o 2014.

Iniulat din mismo umano ng Maynilad na kumita ito ng P7.3 bilyon noong 2018 kumpara sa kita nitong P6.8 bilyon noong 2017. Hindi rin kapanipaniwala na nalulugi ang dalawang kompanya dahil sa sobrang taas ng halaga ng tubig na kailang sinisingil.

Sa rekord ni Barzaga, mga Bro, sinabi noon ni Pang. Ramos na bababa ang singil sa tubig sa pagpasok ng dalawa bilang konsesyonaryo.

At bumaba naman talaga ang presyo sa parte ng Maynilad sa 44 pors-

yento at sa Manila Water sa 74% pero mula lang ito sa unang dalawang taong operasyon ng mga kompanya.

Pagkatapos nito mabilis nang tumaas ang presyo ng tubig hanggang umabot na ito noong 2004 sa katamtamang 384% para sa Manila Water sa singil na P10.4 per cubic meter at sa 130% para sa Maynilad sa singil na P11.39 kada metro kubiko.

Ang singil sa tubig noong 1997 ay P4.96 kada metro kubiko lamang.

Sa ibang salita, nagtriple ang singil ng Maynilad habang mas masahol ang sa parte ng Manila Water.

SUMALI LAHAT

Napakahalagang bagay sa buhay ng tao ang tubig, mga Bro.

Sa idineklarang giyera sa monopolyo o maswitik na negosyo sa tubig, lahat tayo ay apektado.

Mula sa Metro Manila hanggang sa mga bahagi ng Bulacan, Rizal, Laguna at Cavite na inaabot ng konsesyon ng dalawang kompanya.

Dahil sa sobrang mahal ng tubig na nagpapahirap sa milyonmilyong mamamayan gaya ng 15 milyong residente lamang ng Metro Manila, nararapat lang na hindi lang tayo subaybay kundi sumali sa giyera hanggang sa maging makatarungan at patas ang bayarin sa tubig.

Kabilang na rin dapat sa sasalihan nating giyera ang pandurugas ng mga kompanya sa pagtatayo ng sewerage system na sa loob ng mahigit 20 taong konsesyon, wala pa silang nagagawang sapat para sa poso negro.

Pero tuloy-tuloy ang pagbabayad natin para rito at kung tayo'y agad na nangangailangan ng paglilinis sa poso negro, kailangan pa rin nating magbayad sa kanila o pupunta sa ibang kompanya para ipalinis ang ating mga kubeta.

Anomang reaksiyon o reklamo, maaaring iparating sa 0922840-3333 o i-email sa bantiporda@yahoo.com.



"PAGTUTULUNGAN, PANANGGA SA WATER CRISIS" - NWRB

NATUTUWA si National Water Resources Board (NWRB) executive director Dr. Seville David, Jr., sa malawak na pagtutulungan ng iba't ibang ahensiya ng pamahalaan sa lalim ng Duterte administration para makagawa ng mga hakbangin para sa preparasyon, aktuwal na epekto, at pagsasakatuparan ng kagyat at pangmatagalang solusyon sa napipintong water shortage sa Metropolitan Manila ngayong tag-init ng taong 2020.

Kamakailan ay pormal na inilunsad ang 'OPLAN TUBIG PARA SA KINABUKASAN' na pagsasama-sama ng NWRB, Department of the Interior and Local Government (DILG), Metropolitan Manila Development Authority (MMDA), at Metropolitan Waterworks and Sewerage System (MWSS) kasama ang mga private water concessionaires na Manila Water Company at Maynilad Water Services upang paghandaan ang malawakang

kakulangan sa tubig. Base kasi sa datus ng NWRB, nasa 188.6 meters lamang ang water elevation ng Angat Dam, malayo ng 23.6 meters upang maabot ang expected normal level na 212 meters. Bagama't hindi nasa critical level ang dam, hindi nito kakayanin ang demand ng Kamaynilaan ngayong panahon ng Kapaskuhan at parating na tag-init.

Para kay Dr. David, mas gumagaan ang kanilang pakiramdam sa NWRB na nakikita ang bukas na pagtulong ng mga ahensiya ng pamahalaan at hindi nagtuturuan o nagsisisihan sa harap ng publiko. Tama si Pangulong Duterte, kahit magsisihan ang mga nasa gobyerno, pare-parehong pa rin silang accountable sa taong bayan, kaya mas kinakailangan ang magtutulongan at paghandaan ang napipintong krisis na huwag naman sanang mangyari.

Pero ang problema sa tubig ay puwedeng maging magaan sa lahat ng sektor basta kabahagi ang taong

bayan na siyang pinakamalaking gumamit ng malinis na tubig. Maraming sakripisyong kailangang gawin katulad na lamang ng water interruption na ipinatutupad na nitong October 2019 pa lamang.

Ang taongbayan naman ay marunong umintindi basta ipaliwanag lamang ang pangyayari at malaman nila ang kanilang kailangang gawin. Hindi mo naman puwedeng sisihin ang gobyerno lamang dahil sa kakulangan ng tubig, kahit pa magdamag magbantay ang NWRB sa Angat Dam, kung walang ulan, hindi rin ito aangat at mapupuno talaga. Pero blessing na rin na ang mga nabuong super typhoons nitong 2019 katulad ni Typhoon Hagibis ay hindi tumama sa Pilipinas ngunit iyon nga lang, hindi napuno ang Angat Dam, pero nakaligtas naman tayo sa malawak na pinsala bagama't nalulungkot tayo sa sinapit ng Nagano, Japan na higit-kumulang 40 katao ang nasawi at libong tahanan ang nalubog sa baha.



DR. HILDA C. ONG

Mahirap nang maulit pa ang water crisis na naganap nitong March 2019 kung saan ay 6 na milyong residente ang naapektuhan ng kawalan ng malinis na tubig. Ang problema rito ay dulot ng mga isang pribadong concessionaire na bigla na lamang nagbawas ng suplay ng tubig ng walong anumang paabiso. Kinaitangan pang magbanta ni Pangulong Duterte ng kanselesasyon ng mga prangkisa ng mga ito para magtutulongang maresolba ang sinadyang

water crisis. Tingin nga ng iba ay panggigipit lamang sa pamahalaan para payagan ang pagtataas ng singil sa konsumo ng tubig.

Ang NWRB bilang siyang may technical know-how and capacity ay patuloy na magbibigay ng rekomendasyon sa MWSS para sa tamang suplay ng tubig. Bilang mga eksperto, alam ng mga masisipag na tauhan ng ahensiya ang kanilang gagawin, basta sumuporta lamang tayong lahat.





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EDITORIAL

Pangulo nagbanta ng aresto sa kontrata sa tubig

NASA fighting mood si Pangulong Rodrigo Duterte nitong Martes. Sinabi niya na ang dalawang water concessionaires - ang Manila Water at ang Maynilad Water Services - ay matagal nang pinagloloko ang mamamayang Pilipino sa concession deals na kanilang nilagdaan sa gobyerno ay "ginatasan" ang mga Pilipino ng bilyun-bilyong piso.

Mabibigat itong mga kataga mula sa Pangulo na bihirang magalit nang ganito. "I will file economic sabotage and I will arrest them, all of them," aniya. "I will let them experience how it's like to go to jail.... I am sorry. I am ready to go but I won't go without a bang. I will expose the rich who made money at the expense of the nation."

Nagsalita ang Pangulo ilang araw matapos sabihin ng Manila Water, sa isang disclosure sa Philippine Stock Exchange noong Biyernes, na ang Permanent Court of Arbitration (PCA) sa Singapore ay inatasan ang gobyerno ng Pilipinas na bayaran ang Manila Water ng P7.39 bilyon para sa apat na taong pagkalugi nito dahil sa pagsira ng gobyerno sa obligasyon nito.

Dalawang taon bago nito, inatasan ng korte ang gobyerno ng Pilipinas na i-reimburse ang Maynilad, ang isa pang water concessionaire, ng P3.4 bilyon sa lugi sa kita nito simula Enero 1, 2013, hanggang Marso 10, 2015. Ngunit ang Supreme Court ng Pilipinas, nitong nakaraang Agosto, ay pinagtibay ang kautusan ng Department of Environment and Natural Resources (DENR) na pinaparusahan ang dalawang concessionaires na may pinagsamang multa na P1.8 bilyon sa paglabag sa Clean Water Act.

Matagal nang nananawagan si Buhay party-list Rep. Lito Atienza, dating alkalde ng Manila at dating kalihim ng DENR, sa dalawang water concessionaires na tuparin ang kanilang obligasyon na magtayo ng sewage systems para sa kanilang 14 milyong kustomer - dahil sa resulta na puno ng basura at dumi ng tao ang Manila Bay ay sinabi ni DENR Secretary Roy Cimatu na aabutin ng 10 taon bago ito malinis.

Inakusahan ni Atienza ang dalawang kumpanya na kumikita ng malaki - kabuuang P138 bilyon mula sa 2006 hanggang Hunyo, 2019. Ang ilan sa mga kinita ay nagmula sa 20 porsiyento ng environmental charge at 30 percent sewer charge na kinokolekta nila mula sa customers, aniya, idinagdag na: "They should have fully invested the revenue from these charges to build sewage networks and wastewater treatment facilities."

Nitong nakaraang Agosto, pinagtibay ng Supreme Court ang 2009 DENR order na nagmumulta sa dalawang concessionaires at sa Metropolitan Waterworks and Sewerage System (MWSS) ng P1.84 bilyon sa combined fines at patuloy na magbayad ng arawang multa na P322,102, na tataas ng 10 porsiyento sa loob ng dalawang taon, bukod pa sa legal interest na 6 percent per annum.

Kontra sa lahat ng legal decisions na ito sa Pilipinas, dumulog ang dalawang concessionaires sa Arbitral Court sa Singapore na nagdesisyon pabor sa kanila nitong nakaraang linggo, inatasan ang gobyerno ng Pilipinas na bayaran sila ng P7.39 bilyon.

Ngayon ay nagdeklara na si Pangulong Duterte na maghahain din siya ng kasong economic sabotage laban sa mga senador na pumayag sa kontrata. Inatasan niya si Solicitor General Jose Calida at Finance Secretary Carlos Dominguez III na magbalangkas ng bagong kontrata.

Ngunit ang banta ng Pangulo na ipakukulong ang mga opisyal ng water concessionaires ang dapat na abangan. Bihirang magalit nang ganito ang Pangulo. At hindi siya basta nagbabanta lamang.



EDITORIAL

President threatens arrests over water contracts

PRESIDENT Duterte was in a fighting mood last Tuesday. He said the two water concessionaires – Manila Water and Maynilad Water Services – have been “screwing” the Filipino people with the concession deals they signed with the government “milking” Filipinos by the billions of pesos.

They were strong words from the President who has seldom been this angry. “I will file economic sabotage and I will arrest them, all of them,” he said. “I will let them experience how it’s like to go to jail... I am sorry. I am ready to go but I won’t go without a bang. I will expose the rich who made money at the expense of the nation.”

The President spoke a few days after Manila Water, in a disclosure to the Philippine Stock Exchange on Friday, said that the Permanent Court of Arbitration (PCA) in Singapore has ordered the Philippine government to pay Manila Water ₱7.39 billion for four years of losses it had suffered because of the government’s breach of its obligation.

Two years earlier, the court had ordered the Philippine government to reimburse Maynilad, the other water concessionaire, ₱3.4 billion in revenue losses from January 1, 2013, to March 10, 2015. But the Philippine Supreme Court, last August, upheld a Department of Environment and Natural Resources (DENR) order penalizing the two concessionaires with combined fines of ₱1.8 billion for violating the Clean Water Act.

Buhay party-list Rep. Lito Atienza, former mayor of Manila and former secretary of the DENR, has long been calling on the two water concessionaires to meet their obligation to establish sewage systems for their 14 million customers – with the result that Manila Bay is so polluted with garbage and human waste that DENR Secretary Roy Cimatu has said it will take ten years to clean it up.

Atienza has charged that the two companies have been making a lot of profits – an aggregate of ₱138 billion from 2006 to June, 2019. Some of the profits came from the 20 percent environmental charge and 30 percent sewer charge they have been collecting from customers, he said, adding: “They should have fully invested the revenue from these charges to build sewage networks and wastewater treatment facilities.”

Last August, the Supreme Court upheld a 2009 DENR order penalizing the two concessionaires and the Metropolitan Waterworks and Sewerage System (MWSS) ₱1.84 billion in combined fines and to continue to pay a daily fine of ₱322,102, that will escalate by 10 percent in two years, plus legal interest of 6 percent per annum.

Against all these legal decisions in the Philippines, the two concessionaires went to the Arbitral Court in Singapore which decided in their favor last week, ordered the Philippine government to pay them ₱7.39 billion.

President Duterte has now declared he will also file economic sabotage cases against the senators who agreed with the contract. He ordered Solicitor General Jose Calida and Finance Secretary Carlos Dominguez III to draft a new contract.

But it is the President’s threat to jail officials of the water concessionaires that bears watching. The President has not always been this angry. And he is not given to making empty threats.



EDITORIAL

MAMAMAYAN GATASAN NG WATER CONCESSIONAIRES

INUTUSAN na ni Pangulong Rodrigo Duterte ang Department of Justice at Office of the Solicitor General na magsampa ng mga kaukulang kasong kriminal, administratibo at sibil laban sa Maynilad at Manila Water, mga may-ari at abogado ng mga ito, at mga opisyal at abogado rin ng gobyerno na gumawa ng kontrata sa konsesyon sa tubig sa Kamaynilaan at karatig-pook na labag sa batas o public policy at pampublikong interes.

Paliwanag ng Pangulo, ginawa ang kontrata ng mga ganid sa salapi at lumimot sa diwa ng konsesyon na dapat serbisyo-publiko at ginawang gatasan ang mga mamamayan at dugasin na rin ang pamahalaan.

Kasabay ng demanda ang pagbubuo ng bagong kontrata na maging pabor umano sa mga mamamayan at pamahalaan.

Kabilang umano sa hindi patas na laman ng kontrata ang nauukol sa haba ng panahon at mga kondisyon ng kontrata, kawalan ng kapangyarihan ng pamahalaan na maki-alam sa problema sa tubig at pagbabayad ng pamahalaan sa mga lugi ng mga konsesyonaryo.

Narindi si Duterte nang idemanda ng mga konsesyonaryo ang gobyerno sa pagpigil nito ng pagtataas nila ng singilin sa tubig at pinagbabayad ng Arbitration Court sa Singapore ang pamahalaan ng mahigit P7 bilyon.

Bilang reaksiyon, sinabi ng mga konsesyonaryo na ang kaso ay laban sa nakaraang mga administrasyon at hindi sa ngayon subalit hindi sila pinakinggan ng Pangulo.

Sana'y manaig ang katarungan dito.

PH second most affected by disasters tied to climate

By **Jhesset O. Enano**
@JhessetEnanoINQ

The Philippines ranked second globally among countries most affected by climate-related disasters in 2018, according to a recent study by an environmental policy think tank.

Released on the sidelines of the UN climate change conference in Madrid, Spain, on Wednesday, the Global Climate Risk Index report by Germanwatch showed that the Philippines' rank jumped significantly—from 20th in 2017 to second last year—mainly due to the onslaught of Typhoon "Ompong" (international name: Mangkhut) in the latter half of the year.

The world's most powerful typhoon in 2018, Ompong killed 59 people and displaced more than 800,000 when it swept through northern Luzon in September last year.

4th globally in deaths

The Philippines also landed fourth overall with the most number of recorded deaths due to extreme weather events last year, leaping from 11th place in 2017.

The annual report showed that extreme weather events, such as severe heat waves, drought and flooding, persist as massive challenges for the world, but most especially for poor and vulnerable countries.

Rich nations, however, are also being more and more threatened by climate change, Germanwatch said. Japan topped the overall list of 181 countries, while Germany ranked third, as both countries were greatly affected by heat waves and severe droughts in 2018.

Poorer countries repeatedly hit by extreme disasters and have no time to fully recover underline the importance of reliable financial support systems, said David Eckstein, policy adviser of Germanwatch.

"[These should] not only [be] in climate change adaptation, but also for dealing with climate-induced loss and damage," Eckstein said in a statement.

Loss and damage refers to the impacts of climate change, some of which are irreversible, such as deaths and threats to biodiversity.

The index is based on the loss figures recorded in weather-related events. Indicators include the number of deaths per 100,000 inhabitants, the amount of losses in US dollars in purchasing power parity and the declines in gross domestic product.

State of 'climate emergency'

Greenpeace Southeast Asia said the Philippines' rank showed the country was indeed in a state of "climate emergency," and stressed the need for urgent climate action.

"We call on the Philippine government to formally acknowledge this emergency situation and act with utmost urgency and defend the interests of its people in the face of climate injustice," said Yeb Saño, the group's executive director.

"We need urgent action if we are to address the root causes of the climate crisis ... This would only be possible if tackling climate change and its impacts on the lives of Filipino people is given top priority by [the] government and placed at the center of policy and decision-making on local and national levels," he added.

The University of the Philippines Resilience Institute (UPRI) also supported the passage of a House resolution filed by Albay Rep. Joey Salceda to declare a "disaster and climate emergency" in the country.

"The declaration of climate emergency is for all to take seriously," said UPRI and Nationwide Operational Assessment of Hazards (Noah) Center executive director Mahar Lagmay. "This resolution is a reiteration of what we already know, that we need to do climate action and we need to do it now, no buts and no ifs."

The Philippines has consistently ranked high among nations most affected by climate change impacts.

Risk of displacement

A separate report by international antipoverty group Oxfam released also this week showed that the Philippines ranks fourth globally where people are most at risk of displacement due to climate-fueled disasters.

The policy briefing showed that 20 million people have been forced from their homes yearly due to extreme weather events, translating to one person fleeing every two seconds due to floods, droughts and sea-level rise. INQ



Collective environmental stewardship

In his fourth State of the Nation Address, President Duterte called on local government units (LGUs) nationwide to prevent further environmental degradation in the country.

It is unfortunate that, despite numerous environmental laws and regulations that have been institutionalized over the last two decades, the Philippines continues to generate about 35,000 tons of garbage daily—more than 8,600 tons per day in Metro Manila alone. The lack of political will, weak LGU capacities and absence of alternatives to land-filling have aggravated the situation on waste management.

A September 2019 Pulse Asia survey showed that only 31 percent of Filipinos have sufficient knowledge of climate change, while 8 percent have wide knowledge of the issue. The survey findings are disturbing, given the particular vulnerability of the country to climate-related problems. There has been a steady decline in the percentage of Filipinos with sufficient or wide knowledge about climate change, from 11 percent in 2008 to 8 percent in 2019. Ironically, the same survey also showed that 60 percent of Filipinos believe they have felt a big change in the climate situation in the past three years.

From this, we can infer that although many Filipinos have felt or are beginning to feel the effects of climate change in their communities, they have not exerted much effort to know more about its impact on their lives and on the next generation.

COMMENTARY

DINDO MANHIT

Still, although they profess to have limited knowledge about it, 70 percent acknowledge that the effects of climate change are dangerous to their communities. In a Social Weather Stations survey conducted last year, 65 percent specifically mentioned people's recklessness in throwing and disposing of their garbage as the cause of plastic pollution.

The Philippines' heavy reliance on agriculture (31 percent of employment) and high exposure to climate-related disasters (on average, 19 events per year over the last decade) were among the reasons the country was assessed as among those most vulnerable to climate change. According to the 2019 Global Climate Risk Index, the Philippines ranks fifth among countries most at risk to such developments.

Stewardship of the environment should be everybody's concern. The task to protect and preserve the environment is not just the government's business. The private sector also needs to adapt their systems and processes to respond to climate change. This is imperative to ensure business growth and sustainability. The government, for instance, must pursue sustainable tourism and the responsible management

of our natural resources by working with local communities—the daily caretakers of their environment and directly impacted by any changes to it—to prevent overtourism and environmental decay. The Department of Environment and Natural Resources' cleanup of Boracay, the ongoing Manila Bay rehabilitation project, and the expanded greening program are sending a strong message to all sectors that the government can respond to the challenge of responsible environmental stewardship.

On a global scale, the United Nations has recently warned world leaders that greenhouse gas emissions must be cut by a staggering 7.6 percent every year for the next decade to meet the goals of the Paris Climate Agreement, or, suffer the impacts of greater global warming.

Enabling collective efforts on the environment through policy and regulatory reforms, while also balancing economic development needs, requires harmonized policies, holistic and practical solutions, sustainable alternatives in operations, and, above all, changes in behavior and mindsets. By strengthening partnerships among all stakeholders—the government, the private sector, the academe, nongovernment organizations, civic groups—the Philippines can work to become a model of climate resilience through more responsible environmental stewardship.

Dindo Manhit is founder and managing director of the Stratbase Group.



Phl 2nd most affected by extreme weather

The Philippines ranked second among countries most affected by extreme weather events in 2018, according to a report of environmental think tank Global Climate Risk Index 2020.

The report, presented at the UN climate negotiations in Madrid, Spain yesterday, showed Japan ranking first and Germany third.

Turn to Page 17

Phl 2nd From Page 1

Madagascar placed fourth, followed by India and Sri Lanka at fifth and sixth places, respectively.

The report said that extreme weather events are massive challenges especially for poor and vulnerable countries, although it also threatens high-income countries.

The Global Climate Risk Index, published by the environmental organization Germanwatch, showed that in 2018 industrialized countries like Japan and Germany were hit hardest by heat waves and severe drought.

The Philippines was hit by the most powerful typhoon recorded worldwide in 2018.

"The Climate Risk Index showed that climate change has disastrous impacts especially for poor countries, but also causes increasingly severe damage in industrialized countries like Japan or Germany," David Eckstein of Germanwatch said.

He said countries such as Haiti, the Philippines and Pakistan are repeatedly hit by extreme weather events and have no time to fully recover.

"That underlines the importance of reliable financial support mechanisms for poor countries like these not only in

climate change adaptation, but also in dealing with climate-induced loss and damage," he said.

Heat waves were one major cause of damage in 2018. Of the 10 most affected countries last year, Germany, Japan and India suffered from extended periods of heat. Recent science has confirmed the long established link between climate change and the frequency and severity of extreme heat. In Europe, extreme heat spells are now up to 100 times more likely than a century ago. Furthermore, due to lack of data, impacts of heatwaves on the African continent may be under-represented.

"The climate summit needs to address the lack of additional climate finance to help poorest people and countries in dealing with losses and damages. They are hit hardest by climate change impacts because they lack the financial and technical capacity to deal with the losses and damage," Laura Schaefer of Germanwatch said.

She said the climate conference must result in a decision to regularly determine the support needs of vulnerable countries.

- Rhodina Villanueva



PH 2nd most affected by climate change

THE PHILIPPINES was the second country most affected by climate change in 2018, according to the 2020 Global Climate Risk Index released by Bonn-based non-governmental organization Germanwatch.

The Philippines was also the fourth long-term climate-impacted country from 1999 to 2018, the report found.

Germany topped the list of the most affected countries in 2018, while Japan ranked third.

Flood-inducing rains, two deadly heat waves and the worst typhoon to hit Japan in a quarter century — all in 2018 — left hundreds dead, thousands homeless and more than \$35 billion in damage nationwide, the report said.

Category 5 Typhoon “Ombong” (international name: “Mangkhut”) —

►ClimateA2

■ CLIMATE FROM A1

PH 2nd

the most powerful tropical storm of the year — ripped through northern Philippines in September, displacing a quarter of a million people and unleashing lethal landslides, according to the updated *Global Climate Risk Index*.

In Germany, meanwhile, a sustained summer heat wave and drought, along with average temperatures nearly 3 degrees Celsius (5.4 degrees Fahrenheit) above normal over a four-month stretch resulted in 1,250 premature deaths and losses of \$5 billion, mostly in agriculture.

Between 1999 and 2018, Puerto Rico, Myanmar and Haiti were the countries most affected by extreme weather events.

“The *Climate Risk Index* shows that climate change has disastrous impacts, especially for poor countries, but also causes increasingly severe damage in industrialized countries like Japan or Germany,” David Eckstein said.

“Countries like Haiti, the Philippines and Pakistan are repeatedly hit by extreme weather events and have no time to fully recover. That underlines the importance of reliable financial support mechanisms for

poor countries like these not only in climate change adaptation, but also for dealing with climate-induced loss and damage,” he added.

Last year’s top weather disasters showed that even the world’s most advanced and resilient economies can find themselves at the mercy of meteorological events amplified by global warming, the report said.

“Recent science has confirmed the long-established link between climate change, on one side, and the frequency and severity of extreme heat, on the other,” said Germanwatch researcher Laura Schafer.

“In Europe, for example, extreme heat spells are now 100 times more likely than a century ago.”

A sustained heat wave in 2003 claimed 70,000 lives across western Europe, mostly in France.

India was also ravaged by crippling heat in 2018, along with the worst flooding in over 100 years and a pair of cyclones. Total damages: nearly \$38 billion.

Across the last 20 years, it is still the poorest regions that have suffered the most, the report found.

Puerto Rico, Myanmar and Haiti were hit hardest, mostly due to tropical storms that have grown more destructive due to sea-level rise.

A single cyclone, “Nargis,” claimed some 140,000 lives and destroyed the property of 2.4 million people along coastal areas in Myanmar in 2008.

The new report came a day after the United Nations’ World Meteorological Organization (WMO) confirmed that the last decade is the hottest on record, and up to 22 million people will have been displaced by extreme weather this year alone.

“Once again, in 2019, weather and climate-related risks hit hard,” WMO Secretary-General Petteri Taalas said. “Heat waves and floods which used to be ‘once in a century’ events are becoming more regular occurrences.”

On current trends, the planet is on track to heat up an additional three degrees, and even if the world’s nations — gathered this week in Madrid for UN climate talks — honor carbon cutting pledges under the Paris climate treaty, Earth will see it’s surface warm another 2 degrees Celsius.

In their 25th year, the UN climate talks have so far failed to secure the commitments needed to drawdown the greenhouse gases fuelling global warming.

“It’s shocking how much climate change in 2019 has already led to lives lost, poor health, food insecurity and displaced populations,” commented Joanna House, a reader in environmental science and policy at the University of Bristol.

“What is more shocking is how long very little has been done about this.”

**EIREENE JAIREE GOMEZ
WITH AFP**



Declare climate crisis, Duterte urged

BY EIREENE JAIREE GOMEZ

ENVIRONMENT group Greenpeace has called on President Rodrigo Duterte to issue a "climate emergency" declaration following the pounding suffered by the Bicol Region from Typhoon "Tisoy" (international name: "Kammuri").

Along with other activists and youth climate strikers, Greenpeace members marched on Thursday to Mendiola in Manila to deliver an open letter asking Duterte to immediately issue an executive order declaring a climate emergency

that would address the climate crisis and its impact on the lives of Filipinos.

The group urged the government to put climate urgency at the center of all policy decision-making from the local to

national level; hold fossil fuel companies accountable for their role in driving climate change; ensure the country's rapid and just transition to a low-carbon pathway through a massive uptake of renewable energy solutions, phase-out coal; and stop all plans for future coal and fossil fuel investments.

"By declaring a climate emergency, the Philippine administration acknowledges that resolving this global crisis should be a priority by the national government and the international community,"

said Jefferson Estela, co-founder of Youth Strike for Climate Philippines.

"However, the government must show clear efforts in addressing the factors contributing to this crisis after declaring a climate emergency and we, the Filipino youth, are striking for climate because we are not just talking about our future here but the future of the next generation," he added.

Mitzi Jonelle Tan, convenor of the Youth Advocates for Climate Action in the Philippines, said the Filipino youth want

"climate justice."

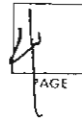
"We are fed up with the willful ignorance of multinational companies and world leaders of countries that are contributing the most to environmental degradation and the climate crisis. We will not stay in our classrooms when the threats to our country and to Filipinos are so clear and apparent," she added.

The environmental activists also demanded that other countries, particularly industrialized nations, should enhance their emissions reduction ambitions in order to

meet the Paris Agreement's aim to limit global temperature rise within 1.5 degrees Celsius.

Nearly 500,000 people in the Bicol Region were forced to flee their homes because of the destructive force of Typhoon Tisoy, whose high winds and heavy rains have triggered flash floods and landslides in some areas, with the provinces of Albay and Sorsogon among the hardest hit.

The Department of Agriculture pegged damage to agriculture at P1.93 billion.



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NAGMAMALASAKIT? Sumabak sa kalsada sa Maynila ang mga environmental activist dahil na rin sa nararanasang climate crisis. Ang nasabing protest action ay bahagi ng Global Climate Strike Movement na tumututol sa United Nation climate conference na sinimulan nitong Disyembre 2 at matatapos sa Disyembre 13 ng taon.

JANSEN ROMERO



EDITORIAL

Hero of Initao

Initial reports on the Nov. 28 grenade explosion in Initao, Misamis Oriental, that killed two people and wounded 16 others said nothing about the heroism of Master Sgt. Jason Magno. That Magno was one of the two people killed—the other being the elderly man wielding the grenade whom he was trying to subdue—appeared to merely underscore the old saying that working in the armed services means having one foot in the grave.

Why then is the Philippine National Police planning to posthumously bestow on Magno, 46, the title “Hero of Initao” as well as a medal of heroism, and to recommend to President Duterte that he be installed among the recipients of the medal of valor, the highest award given by the PNP?

The explosion at Initao College injured nine students, two teachers, four other civilians, and Senior Master Sgt. Alice Balido. A medal of heroism is also being planned for Balido, who helped get those present out of harm’s way.

A week later, the details of what transpired as narrated by Brig. Gen. Rolando Anduyan, police chief of Northern Mindanao, are providing a glimpse into, and affirming, Magno’s uncommon character. Per Anduyan’s account to *Inquirer* correspondent Richel Umel, Magno’s training in explosive ordnance disposal was evident in his posture as he grappled with Ibrahim Bashir, 65, to gain control of the grenade and prevent it from going off. His moves in trying to wrest the grenade from Bashir demonstrated an intent to protect the people around them, so that his ultimate decision to cover with his body the explosive that fell on the ground, resulting in his death, seemed a logical conclusion.

From accounts, the valor displayed on Nov. 28 by the cop who held a bachelor’s degree in English was not surprising. He was the go-to guy whenever help was needed in the town where he was born and raised and lived. He was a peacemaker, succeeding not only in mollifying a retired Scout Ranger who had opened fire in the Initao public market but also in pacifying angry protesters who had put up a blockade in the town of Lugait.

In the course of his dialogue with the protesters, Magno was hit by a stone thrown by them. “But that was okay because that was part of his work,” his widow Vivian recalled, adding poignantly: “And he came home alive.”

The explosion that prevented this exceptional man from ever making it home alive again to his wife and children arose from no less tragic circumstances. According to Bashir’s family, the 65-year-old was gravely ill and in a rage that his truck, seized in March for transporting logs without a permit, was still being held at Initao’s City Environment and Natural Resources Office (Cenro). Bashir had been seeking the release of his truck for months, to no avail, and on that day, he arrived at the Cenro office with a grenade and removed its pin. Frightened, the Cenro staff fled to the nearby covered court in Initao College. The authorities were called; Magno and Balido were among the first responders. It was reportedly Balido who fired the shots that killed Bashir.

Thus was the breath snuffed out of the cop described by Sen. Panfilo Lacson, a former PNP chief, as “the best among us.” Magno deserves all the accolades that his superiors and peers can heap upon him, as well as the benefits that a grateful government can bestow on his family. He awakens the deadened faith of many Filipinos in the police force and—dare we say it?—gives them hope. His death must signify more than an unfortunate ending; it must serve as a reminder of the police officers and men unworthy of their uniform, those whose crimes have tarnished the institution he served faithfully and well.

Remember the 19 police officers who killed Mayor Rolando Espinosa of Albueria, Leyte, right in his prison cell as he awaited trial on drug charges in November 2016. Despite the finding of premeditated murder by a Senate inquiry, the Department of Justice dropped the murder charges to homicide, and they were allowed to post bail. After their six-month suspension, then PNP chief Bato dela Rosa announced that the officers had been reinstated and the administrative charges against them “resolved.”

Or the police officers who abducted the Korean businessman Jee Ick-joo in 2016 and did him in right in the police headquarters of Camp Crame, almost under the very nose of the PNP chief, and whose remains could not be found because his ashes were flushed down the toilet. Or indeed the “ninja cops” who purloined part of a cache of crystal meth seized during a raid in Pampanga when Oscar Albayalde was holding sway there as provincial chief of police...

The heroism of Master Sgt. Jason Magno should serve to train the nation’s attention on these festering crimes by his unworthy colleagues.



PHL to miss cruise ship targets this year, as Boracay continues to be off itineraries

BY MA. STELLA F. ARNALDO

✉ @akosistellaBM

Special to the BUSINESSMIRROR

THE Department of Tourism (DOT) is hoping for a growth in cruise passengers in 2020 as the industry finally recovers from the six-month closure of Boracay Island.

This developed as only 90,571 cruise passengers were recorded from January to September 2019, according to the latest data from the DOT obtained by the BUSINESSMIRROR. The ships that carried these passengers made 83 port calls in the country.

The number of cruise passengers in the nine-month period this year, however, was almost 55-percent off the arrivals in the same period in 2018, which was at 199,865 cruise passengers arriving on 80 ships, which made 143 port calls.

DOT Undersecretary for Tourism Market Development Benito C. Bengzon Jr. told the BUSINESSMIRROR, "There were redeployments of ships to other neighboring destinations, like Vietnam and Thailand, due to the closure of Boracay [in 2018]. However, the reopening of the island after six months of tourism moratorium [in October 2018], paves the way for the resurgence of cruise tourism."

Data showed cruise calls in Boracay dipped to 15 last year from 17 in 2017. The number of cruise passengers, likewise, fell by 18 percent to 5,553 in 2018 from the previous year's 6,781, as "blocked-out dates" were enforced to conform to the government-mandated carrying capacity of the island at 19,215 tourists per day, at any given time.

"While the rehabilitation work continues, the window for cruise lines follows guidelines that take into consideration the island's carrying capacity. This accounts for the slight decline in cruise calls this year, but this is expected to reverse in the coming months," said Bengzon, adding that the island would be back on the cruise ships' itineraries in 2020.

He underscored in a recent news brief-

ing though that the blocked-out dates, i.e., periods where cruise ships will not be allowed to make port calls on Boracay, will continue to be implemented. These periods will be on Chinese New Year, Holy Week, All Saints' All Souls' days, Christmas and New Year, among others.

The DOT is targeting an increase in port calls to 150 and cruise passengers to 220,000 in 2020, from this year's targeted 109 port calls and 180,000 passengers. The nine-months to September figures indicate, however, this year's targets would likely be missed.

Overall, there was a 154-percent increase in cruise passengers to 241,652 in 2018, aboard 100 ships that made 178 port calls.

Meanwhile, Bengzon said there are ongoing discussions with Star Cruises for a possible homeporting arrangement in Manila again. "We're talking about it. We're just trying to address some issues with Star Cruises like how to make it easier for cruise passengers to enter the country. Basically, visa requirements."

SuperStar Virgo, the flagship of Star Cruises, homeported in Manila in 2017 and 2018, but failed to do so this year. The DOT official hailed these as a "big achievement in a way, because if you look at the configuration of the current terminal, they use Pier 15, the fact that we got this ship to homeport is a major achievement already, because ordinarily their requirements are stringent."

To attract more cruise ships to the Philippines, Bengzon underscored the need for a "better and purpose-built terminal." Sureste Properties, a unit of Bloombery Resorts Corp. is targeting to complete its cruise ship terminal beside its Solaire Resort in 2021. It has been designated a tourism enterprise zone by the Tourism Infrastructure and Enterprise Zone Authority. The DOT-attached agency is also eyeing to construct a separate cruise port terminal at the CCP complex.

Overall, there was a 154-percent increase in cruise passengers to 241,652 in 2018, aboard 100 ships that made 178 port calls. More than half, called on Manila.