

DATE : 12-12-19

DAY : Thursday

**DENR**

**IN THE NEWS**

Strategic Communication and Initiative Service



# DENR awards land titles

By Jonas Reyes

The Department of Environment and Natural Resources (DENR) distributed land titles to some 150 families in Botolan, Zambales as part of the Handog Titulo Program of the government.

DENR Central Luzon Executive Director Paquito Moreno said that a total of 30 residential free patents or land titles covering 9,200 square meters were given to residents of Barangay Batonlapoc as an early Christmas gift from the agency.

He added that the Handog Titulo Program was a priority program of Environment Secretary Roy Cimatu which aims to provide the poor with land titles, making their homes their own.

The program also aims to develop the communities while improving the economic productivity of the residents by expediting the processing and issuance of public land patents to qualified beneficiaries.

Moreno added that the DENR is also looking into establishing a satellite office in every barangay that will receive and process land title applications to provide a more accessible and transparent public land titling.

Botolan Mayor Deris Maniquis thanked the DENR for their Handog Titulo Program, stating that the land titles provided are both "a privilege and a responsibility" as the residents are now considered as land owners.



*Aksyon*  
**NGAYON**  
NI AL G. PEDROCHE

### Basura crisis matindi

SI Department of Environment and Natural Resources (DENR) Secretary Roy Cimatu ang umamin kama-kailan na seryoso ang umiiral na krisis sa basura sa bansa.

Kung ako ang tatanungin, matagal nang seryoso ito pero ang mga nakalipas na administrasyon ay walang inilatag na remedyo para talagang masugpo ito. Tuloy pa rin ang walang habas at walang konsensyang pagtatapon ng basura ng marami sa ating mga kababayan, partikular sa mga tinitirhan ng informal settlers. Kabilang na rin sa mga umaalipusta sa kalikasan ay ang mga establismentong komersyal na wala ring budhi sa pagtatapon ng basura.

Alam niyo ba na ang pagdumi ng ating pamosong Manila Bay na kinikilala ng daigdig dahil sa kariktan nito, laio na kung lumulubog ang araw ay bunga ng mga basurang itinatapon sa mga estero ng ilang mga residente sa Maynila, Paranaque, Pasig at Mandaluyong? Ang mga lugar na ito ay natukoy na may mga estero na nakaugnay sa Pasig River.

Kung ang mga residente ay walang puknat na nagtatapon ng mga plastic at iba pang nakalalasang basura, dadaloy ang mga iyan sa Ilog Pasig na siya na ang magdadala ng toxic wastes sa Manila Bay. Hindi lang mga pribadong residente ang guilty sa pagtatapon ng basura kundi pati mga commercial establishments.

Kaya nga nagtalaga ng mga Estero Rangers ang DENR sa bawat barangay upang bantayan ang mga residente at pigilan sa kanilang iresponsableng pagtatapon ng basura. Ang problemang ito ay dapat pagtutungan ng lahat: gobyerno, pribadong sector at pribadong mamamayan.

Sabi nga ni Usec. Benny Antiporda ng DENR, hindi ang plastic na itinatambak sa mga daluyan ng tubig ang problema kundi ang mga taong plastic na nagtatapon ng mga ito.



# PNP looking into killings of environment workers

**PHILIPPINE National Police officials yesterday said they are fully investigating reported attacks on environmental workers.**

"All homicides are serious crimes that are in-

vestigated by police as a matter of standard procedure.

"Indeed, there had been several reports of violent attacks on government forestry and environmental workers by syndicates en-

gaged in illegal activities," said PNP spokesman Brigadier General Bernard M. Banac.

According to the PNP spokesperson: "Some police operations to enforce environmental laws have

in fact encountered armed resistance from suspects engaged in these illegal activities in the countryside, some of which are protected by New People's Army rebels moonlighting as private

armed groups for these syndicates."

"We assure the public that the PNP under Officer-in-Charge, Lieutenant General Archie Francisco F. Gamboa is looking into this matter. We

remain alert and vigilant to prevent occurrence of crimes, maintain peace and respond to any call for assistance during crisis, calamity, or emergency," he added.

**Alfred Dalizon**



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE

PHILIPPINE DAILY  
**INQUIRER**

A1  
PAGE

UPPER  
 LOWER

PAGE 1  
STORY

BANNER  
STORY

EDITORIAL

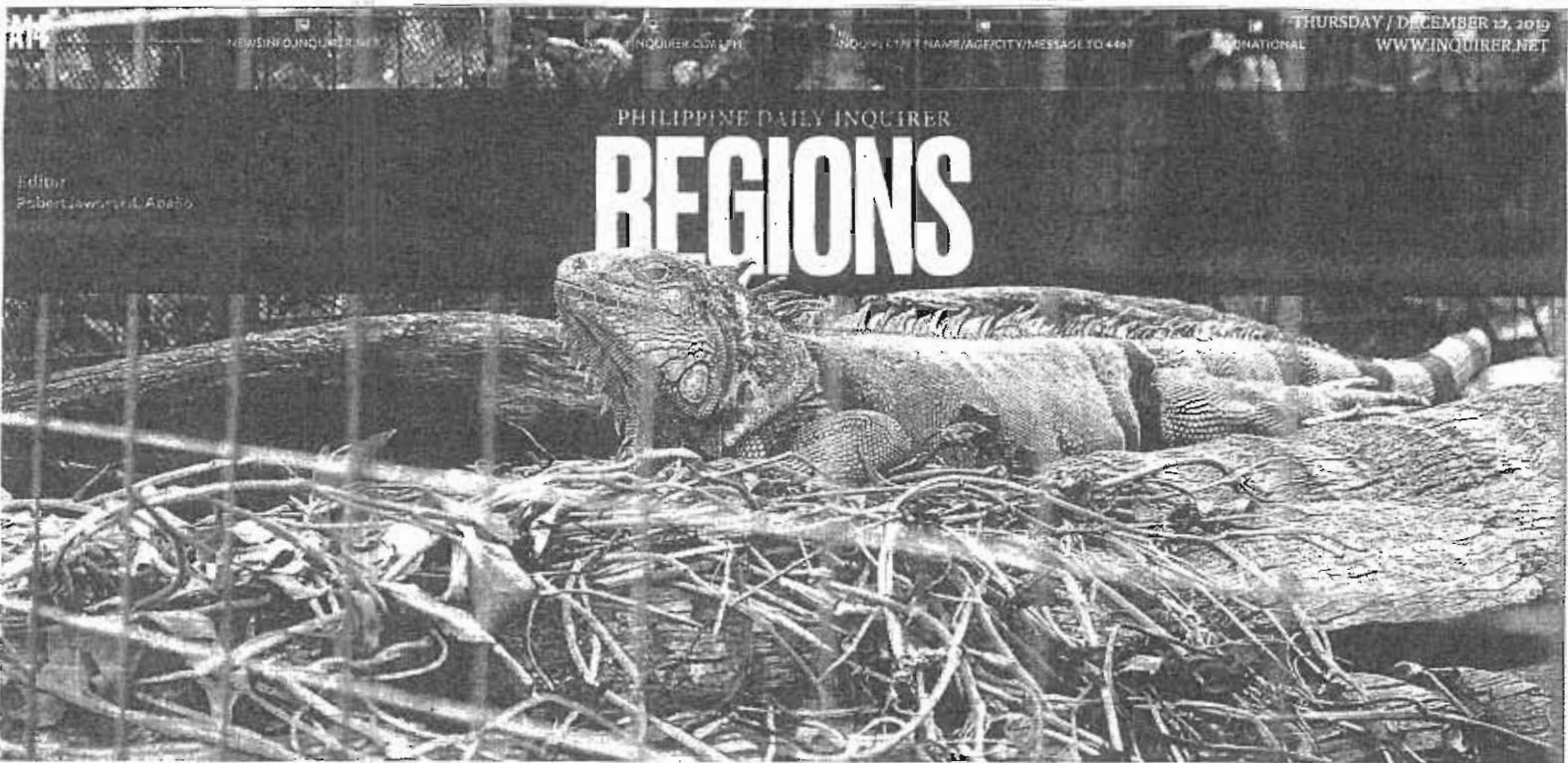
CARTOON

12-12-19

DATE

PAGE 1/ 1/2

TIME:



**EXOTIC PET** Among the species recovered by government environment personnel in a buy bust in Gloria, Oriental Mindoro, are four green iguanas, which may have been imported from the United States or Mexico. Iguanas are popular in the underground market as exotic pets. —PHOTO COURTESY OF DENR-OMB



**Exotic reptiles, birds  
seized in Mindoro**

Government agents, disguised as workers inspecting power lines damaged by a recent typhoon, seized 56 exotic reptiles and birds in a buy-bust operation in Gloria, Oriental Mindoro, on Tuesday. Most of the recovered wildlife—iguanas, tortoises and a variety of parakeets and parrots—were estimated to be worth P300,000 in the underground market. Two men were arrested during the operation. —STORY BY MARICAR CINCO AND JHESSET O. ENANO

A14



# Exotic reptiles, birds seized in Mindoro

## Buy bust in clandestine aviary yields 56 animals suspected to have been smuggled from Palawan

By Maricar Cinco  
and Jhesset O. Enano  
@Team\_Inquirer

The Department of Environment and Natural Resources (DENR) seized a variety of exotic wildlife, some of them possibly smuggled out of Palawan province while others imported from as far as the United States or Mexico and intended for the underground market.

Fifty-six animals, among them four green iguanas (*Iguana iguana*), two red-footed tortoises (*Chelonoidis carbonarius*), and a variety of parakeets and conures, were recovered on Tuesday from a clandestine aviary in Gloria town, Oriental Mindoro, which the DENR Wildlife Enforcement Team identified as a transshipment point of wildlife smuggled on small boats from one island to another in the Philippines.

Most of the seized wildlife, found in cages, were classified as "endangered" or "threatened" species by the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

Nonthreatened species, such as African lovebirds, diamond doves and cockatiels, were also recovered.

### No permit

The animals would have cost about P300,000 when sold to collectors, said Rogelio Demelletes Jr. of the DENR-Biodiversity Management Bureau (BMB), in a telephone interview.



**TRAFFICKED** Undercover agents of the Department of Environment and Natural Resources' Biodiversity Management Bureau and the National Bureau of Investigation bought a parakeet for P2,000 from suspected traffickers, leading them to discover other birds and reptiles kept in an aviary in Oriental Mindoro. —PHOTOS COURTESY OF DENR-BMB

Authorities, on Wednesday, filed charges against the aviary owner Fernando Zamoranos Jr., his son Zam Angelo, and aviary caretaker Jessie Dacutanan for illegal wildlife possession and trade according to Section 27 of Republic Act No. 9147, or the Wildlife Protection Act.

The DENR in Oriental Mindoro said the suspects did not have any permit to trade.

Only Zam Angelo and Dacutanan were arrested when the BMB and the National Bureau of Investigation-Environmental Crime Division swooped down on the facility in Barangay

Banus on Tuesday afternoon.

Authorities were still tracking down Fernando, who was reportedly in another village during the operation.

### Cutting the cycle

Demelletes said the facility was placed under surveillance starting November after they tracked it down through a Facebook post showing photos of exotic wildlife for sale.

During the buy bust, authorities disguised as linemen inspecting the power lines damaged by Typhoon "Tisoy" (international name: Kammuri) in order to enter the facility.

They then offered to buy a ringed-neck parakeet from the suspects for P2,000.

"They (suspects) were even saying they had more in stock, but some of the animals were recently moved to a different location because of the typhoon," Demelletes said.

The suspects are facing imprisonment of two to four years or a fine of P120,000 to P200,000. Illegal wildlife trade, however, is a bailable offense in the Philippines.

Nevertheless, Demelletes said the arrest would "cut the operations of these syndicates which we think would be forced to lie low for the next three to five months."

The seized wildlife would be taken to the BMB's rescue center in Quezon City, as conservationists needed to first identify their natural habitats for their eventual release. **INQ**



PROTECTING MARINE ANIMALS

**TURTLE DEATH** An environmental group believes the giant leatherback turtle that turned up dead on the shore of Sariaya, Quezon, was suffocated after it was entangled in a fish trap in Tayabas Bay. —SHERWIN ROSALES/CONTRIBUTOR

## GROUP SAYS BEACHING OF SEA TURTLES IN QUEZON ALARMING

By Delfin T. Mallari Jr.  
@dtmallarijrINQ

LUCENA CITY—The environmental group Tanggol Kalikasan has called on fishermen, coastal villagers and government agencies to help protect sea turtles, locally known as “pawikan,” after two of these marine animals were found dead on the shore of Sariaya, a town in Quezon province facing Tayabas Bay.

“This is alarming. The fishermen, residents and government officials should do something to protect them,” Jay Lim, Tanggol Kalikasan project officer, said.

Lim reported that two female giant leatherback turtles (*Dermochelys coriacea*) were found dead on the beach at Barangay Bignay 2 in Sariaya on Dec. 9 and Nov. 26.

### ‘Vulnerable’

The first turtle measured 1.90 meters from the tip of its beak to its tail and weighed 400 kilograms. The second was 1.26 meters long and weighed 200 kg.

The leatherback turtle is classified as “vulnerable” in

the International Union for Conservation of Nature’s Red List of Threatened Species.

According to Oceana, the largest international advocacy organization focused on ocean conservation, the leatherback turtle is the “largest living turtle on planet.”

“Unlike all other marine turtles, the leatherback turtle does not have a hard, bony carapace (shell). Instead, as its name implies, it has a tough, rubbery shell that is composed of cartilage-like tissues,” Oceana said.

The leatherback turtle was suspected to have suffocated after it got entangled to a sunk “baklad” (a huge stationary fish trap) at the bottom of the bay, Lim said.

Citing information from the Bureau of Fisheries and Aquatic Resources in Quezon, Lim said there were numerous sunk baklad in Tayabas Bay and Lamon Bay that posed danger to these marine creatures.

Tanggol Kalikasan has been conducting an information campaign to help educate the public on existing laws on environmental and wildlife protection. INQ



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE

MONITORING POSSIBLE SPILL

# DESTRUCTION OF CORAL REEFS FEARED AS OIL TANKER RUNS



**STUCK** A Hong Kong-registered oil tanker is stuck in a reef area in Bolinao, Pangasinan, as local officials remain on alert to contain a possible oil spill. —PHOTO COURTESY OF BOLINAO PNP

**By Yolanda Sotelo**  
@yzsoteloINQ

DAGUPAN CITY—Environment and local officials on Tuesday said they were closely monitoring a reef area in Bolinao town, Pangasinan province, for possible damage after a foreign oil tanker ran aground there on Sunday.

Mayor Alfonso Celeste said the regional office of the Environmental Management Bureau (EMB) had started assessing the fossil and live corals some 500 meters from Patar Beach where the Hong Kong-registered Chemitec oil tanker was stranded due to engine failure.

The vessel was transporting raw petroleum products from

Brunei to China when it hit the fossil corals at 8 p.m., Celeste said, citing a report from the Philippine Coast Guard (PCG).

The tanker has 26 crew members, 23 of whom are Chinese while three are Myanmar nationals.

"The tanker must pay for whatever damage it incurred after running aground at the coral areas," Celeste told the Inquirer by phone.

He said the oil tanker remained grounded on the breakwater situated in a popular snorkeling and swimming area.

"The breakwater protects the town from storm surges and tsunāmi. Once the corals are destroyed, there would be

disastrous effects on the town during calamities," Celeste said.

According to him, the result of the EMB's initial assessment of the coral reefs will be sent to the University of the Philippines Marine Science Institute (UPMSI) for evaluation. The UPMSI maintains a marine laboratory in Bolinao.

A containment boom has been placed around the tanker in case of oil spill, said lawyer Ayar Montemayor, secretary of the town council.

PCG divers said there were still no signs of oil spill on Tuesday.

Police Maj. Dennis Cabigat, Bolinao police chief, said personnel of the Philippine National

Police Maritime Group and the Philippine Navy were sent to Patar Beach to inspect the vessel.

Cabigat said they were waiting for documents from the vessel's owner before they could start boarding the tanker for inspection.

"There's no oil spill yet ... [but] we already have a towing and salvage team [in the area]," he said.

Montemayor said once the tanker had been removed from the area, there would be another assessment on the coral reefs.

Quarantine inspectors had been sent to check the vessel while an interagency investigation headed by the Bureau of Immigration and the Bureau of Customs was underway. INQ





**EDITORIAL**

# Ferry Service

IF nothing is done to address the problem, the chaotic traffic situation in Metropolitan Manila and nearby areas is seen to worsen with the rising number of motor vehicles in the Philippines.

Experts have suggested that people, notably those living in squatter communities in various parts of the metropolis, should now return to the countryside, which is being developed by the government. Without doubt, the burgeoning population in the country's premier region, where the seat of the central government is located, must also cause great concern among national and local authorities.

That's why we commend the Metropolitan Manila Development Authority (MMDA), chaired by former Army Scout Ranger Gen. Danilo Lim for re-launching its Pasig River Ferry Service (PRFS).

"The Pasig River ferry service has been an alternative mode of transport to Metro Manila commuters who want to avoid using the busy streets of Metropolitan Manila," according to Chairman Lim.

The re-launching was attended by Sen. Christopher Lawrence "Bong" Go, Lim, Transportation Sec. Arthur Tugade, Environment and Natural Resources Sec. Roy Cimatu and Manila Mayor Isko Moreno.

Commuters can enjoy ferry rides between Pasig City and Manila for free until Jan. 31, 2020. Commuters, mostly students and workers, will be accommodated on a first-come, first served basis.

Through the all-out efforts of the government and the private sector, the once dirty, stinking and heavily-polluted 25-kilometer Pasig River is now clean from floating garbage.

Lim said the ferry transportation program hopes to encourage the public to patronize the ferry service over public utility vehicles and avoid the hassles of commuting in Metro Manila.

Certainly, reviving the Pasig River ferry service is a move in the right direction, according to traffic authorities, motorists, passengers and the rest of the commuting public.



TITLE: \_\_\_\_\_

PAGE 1/ \_\_\_\_\_

12-12-19

DATE

## PCG bans double berthing of watercrafts in Pasig River

Double berthing of watercrafts will no longer be allowed in Pasig River and West Breakwater of South Harbor to give way for the seamless operations of the Cavite – Manila Ferry Services and Pasig River Ferry Services.

A circular order was signed by Admiral Joel Garcia, Philippine Coast Guard commandant, to prohibit double berthing in the areas, repealing the 2007 order allowing double berthing.

Garcia announced Wednesday that only single berthing will be allowed along Pasig River and West Breakwater of South Harbor effective 15 days after its publication and filing of certified copy at the University of the Philippines Law Center.

The commandant said the move was in compliance with the order of Transportation Secretary Arthur Tugade "as a major initiative for the river's rehabilitation and decongestion."

"We have to remove obstructions such as double berthed barges and other watercrafts along Pasig River for the smooth movement of 'water jeepneys,'" Garcia said.

"This will provide efficient, convenient, and comfortable water transportation for the riding public, especially now that we just inaugurated the Cavite – Manila Ferry Services and re-launched the Pasig River Ferry Services," he added.

With this, owners and operators of double berthed barges along Pasig River were urged to move out as soon as possible to avoid unnecessary inconvenience.

"Secretary Tugade instructed us to tow non-compliant barges and other watercrafts, specifically along Delpan Street in Binondo, Manila. We urge stakeholders to cooperate with the government and help us in improving mobility and connectivity in the nation's capital," the commandant warned.

The move, Garcia said, was in cooperation with the city government of Manila, Department of Environment and Natural Resources, Department of Interior and Local Government, and the Metropolitan Manila Development Authority. **(Bethena Kae Unite)**



## LGU: Fireworks display sa Bora, payagan na

BORACAY ISLAND, Malay Aklan - Umaapela ang lokal na pamahalaan ng Malay, Aklan na payagan ang pagsagawa ng fireworks display sa isla sa pagpasok ng Bagong Taon.

Ayon kay acting Malay Mayor Floribar Bautista, nagpadala na sila ng liham kay task force chair at Department of Environment

and Natural Resources Secretary Roy Cimatu na payagan ang pagsasagawa nito.

Ipinagbawal ng Boracay Task Force ang pagsagawa ng fireworks event simula noong nakalipas na taon dahil sa rehabilitasyon ng isla.

**Jun N. Aguirre**



# 'Water comes from forests, not dams'

Amid ongoing debates over the controversial Kaliwa Dam, an environmental group said the solution to the water crisis is the restoration of Philippine forests.

Haribon Foundation emphasized that the water issue should be understood from the ridge-to-reef perspective that begins with asking where water comes from.

"Water comes from forests, not from dams. Forests absorb water through their roots, release it from their leaves through transpiration, which then turn into rainwater together with water evaporated from oceans and other water bodies," the group said.

The foundation noted that the Environmental Impact Statement submitted by the Metropolitan Waterworks and Sewerage System (MWSS) has also recognized the significant role of forests in the global carbon cycle as carbon sinks of the land ecosystem, absorbing carbon dioxide, and storing carbon in soils.

"Forests have an indispensable biodiversity value – not only do they supply goods for trade and subsistence, they also contribute to water cycle and groundwater withdrawal," said Haribon.

Based on the government reforestation costing – particularly the national greening program (NGP) – restoring one hectare of forest costs P16,450 for three years.

According to Haribon, this shows that only around P2.48 billion is needed to restore 150,000 hectares of forests in the country compared to the P12.2 billion loan from China that puts the Philippines at risk of environmental chaos and a debt trap.

Meanwhile, the province of Bulacan has the biggest agroforest plantations in Central Luzon, with fruit-bearing trees planted under the NGP of the Department of Environment and Natural Resources, according to the DENR information officer of the region.

Don Guevarra said the region has a total of 9,187.84 hectares of agroforest

plantations in its seven provinces, with Bulacan having 2,313.04 hectares planted with fruit-bearing trees like guyabano, cacao and coffee.

This is followed by Zambales with 1,767.84 hectares; Tarlac, 1,466.88; Bataan, 1,013.86; Aurora, 1,006.28; Pangasinana, 914.23, and Nueva Ecija, 705.02 hectares.

Emelita Lingat, DENR's provincial officer in Bulacan, told **The STAR** that the NGP's agroforest plantations started in 2011 as an alternative livelihood program for the slash-and-burn (*kaingin*) farmers, charcoal makers and illegal loggers.

Bulacan has two community environment and natural resources offices (CENRO) – in Guiguinto and Baliuag – that are responsible for the implementation of DENR policies, programs, projects and activities and the enforcement of laws and regulations at the community level.

CENRO Baliuag has jurisdiction over the northern part of Bulacan that includes the towns of Baliuag, San Rafael, San Ildefonso, San Miguel and Donya Remedios Trinidad. The rest of the province is under the jurisdiction of CENRO Guiguinto.

– Ramon Efren Lazaro

# WATER EXEC APOLOGIZES TO DU30; MWSS MOVE HIT

STORY BY BY MARLON RAMOS AND DJ YAP

Manila Water says sorry to the President for an international court ruling directing the government to pay it for 'losses,' but the firm and Maynilad assail the recent revocation of the extension of their contracts.

## FROM A1

By Marlon Ramos  
and DJ Yap  
@Team\_Inquirer

The head of Ayala-controlled Manila Water Co. Inc. on Wednesday apologized for "angering" President Duterte over the alleged onerous provisions of the water concession agreements granted to it and Maynilad Water Services Inc.

"It's unfortunate that the President got angry. We did not intend to burden the President with problems," Manila Water president Jose Rene Almendras said at a Senate hearing.

Almendras issued the apology as a Manila Water director and the president of Maynilad

objected during a hearing in the House of Representatives to the "unilateral decision"—on Mr. Duterte's orders—to revoke the renewal of their concession deals for another 15 years.

The two executives expressed "very grave concern" over the action of the Metropolitan Waterworks and Sewerage System (MWSS) to rescind the board resolutions extending its contracts with Manila Water and Maynilad until 2037.

### 'Not proper'

The 25-year water concession agreements, originally signed in 1997 under the Ramos administration, will lapse in 2022. But these were extended during the Arroyo administration.

The MWSS, according to deputy administrator for engineering Leonor Cleofas, arrived at the

decision to revoke the extension during its Dec. 5 board meeting.

"On the part of Maynilad, we only learned of this [on Wednesday], or one or plus hours ago," Maynilad president Ramoncito Fernandez told the joint House good government

and public accounts panel.

"But we would like to react that it is with very grave concern that we view this action, and we believe also that it is not proper to unilaterally revoke an agreement," he said.

Manila Water director and

board member Antonino Aquino told the panel that he shared the same view.

In the Senate, Almendras said Manila Water was willing to sit down with the MWSS and discuss the contents of its concession contract that Mr. Duterte found to be disadvantageous to the government.

### Compensation

"We heard that you have waived the arbitral award. What's the reason behind it? Why does the President have to get upset (before you do it)?" Sen. Christopher "Bong" Go asked Almendras, referring to the decision of a Singapore-based arbitral tribunal that ordered the government to pay P7.4 billion to Manila Water.

The amount was compensation for losses the company incurred when it was not allowed

to raise tariffs from June 1, 2015 to Nov. 22, 2019.

"We apologize if the President got angry because of the arbitral ruling ... What happened is that we could not prevent the decision (of the arbitral court) from being handed out since the case has been filed in 2015. It's beyond our control," said Almendras, a Cabinet secretary and energy secretary during the Aquino administration.

"We don't want to go against the President. What he has been doing is for the good of the people and we're supportive of him," he added. Mr. Duterte earlier said the government would not pay any compensation not only to Manila Water but also to Maynilad, which the Permanent Court of Arbitration earlier awarded P3.4 billion for losses from March 2015 to August 2016.



TITLE:

# Exec apologizes to Du30; MWSS move hit

## FROM A2

Manila Water and Maynilad filed cases against the government in the arbitration court, invoking a provision in their concession agreements that barred the government from interfering in setting tariffs. The contracts also allow the two concessionaires to pass on to consumers the arbitration expenses.

At the House hearing on

Tuesday, Almendras and Fernandez said Manila Water and Maynilad would no longer seek payment from the government of the combined P10.8 billion awarded to them by the arbitral court.

### Letters from MVP, Ayala

They waived the payments amid threats from Mr. Duterte to imprison and charge with economic sabotage officials of the two companies and government lawyers who prepared and approved the deals, which the Pres-

ident considered onerous. He also threatened to expropriate the assets of the two companies.

The two companies formalized the offer to waive the award in separate letters to Mr. Duterte.

The President has received the letters of Manuel V. Pangilinan (MVP) of Maynilad and Fernando Zobel de Ayala of Manila Water informing him of their decision not to collect the compensation awarded to them by the arbitration court, according to presidential spokes-

person Salvador Panelo.

Both dated Dec. 10, the letters also said Maynilad and Manila Water would heed the President's call to talk with officials of the companies and were willing to amend or revise the provisions of their agreements that are onerous to the government and to consumers, Panelo said.

"The President will evaluate this development, as well as study the practical and legal consequences of the situation, before making any decision on what measure to

undertake next," he said.

He reiterated Mr. Duterte's desire to meet the lawyers involved in the preparation of the water concession agreements with the two companies.

At the hearing in the House on Wednesday, Assistant Government Corporate Counsel Howard Randy Arzadon said it was the "directive of Malacañang" to cancel the extension of Manila Water and Maynilad's concession deals.

Arzadon said the MWSS first revoked Board Resolu-

tion No. 2009-72, dated Aug. 16, 2008, "pertaining to renewal or extension of the concession period of Manila Water Co."

It then revoked Board Resolution No. 2010-172, dated Sept. 10, 2009, extending the concession period of Maynilad Water Services.

The President of the Philippines through the Department of Finance signed the extension of the contract with Maynilad, according to Fernandez. INQ —WITH A REPORT FROM LEILA B. SALAVERRIA



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE



PAGE



**12-12-19**

TITLE:

PAGE 1/

DATE

**EDITORIAL**

# Leaky agreements

**M**anila Water Co. Inc. and Maynilad Water Services Inc. have caved under President Duterte's might, announcing on Tuesday in separate statements that they would waive almost P11 billion awarded to them via arbitral ruling, and, more important, that they would work with the government in crafting new and fair concession agreements.

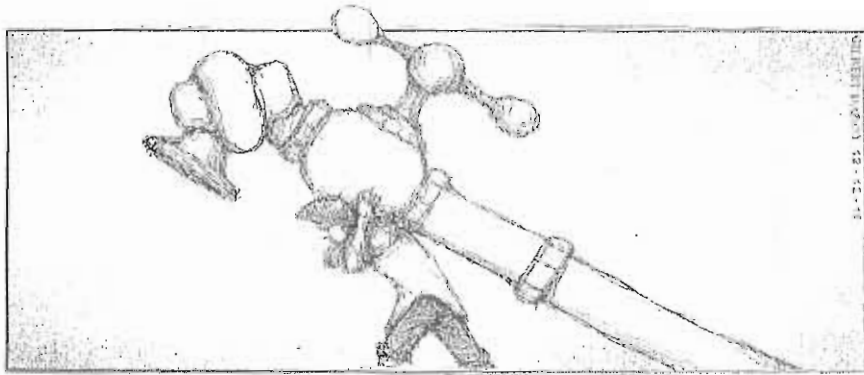
Mr. Duterte had been scoring points particularly among his die-hards with his bombast against the "oligarchs" that won the bidding in 1997 for the privatization of water services in Metro Manila and the provinces of Cavite and Rizal. But a détente is afoot—not that, despite the sound and fury emanating from the Palace, an out-and-out war was ever in the cards—with the water concessionaires' offer of the olive branch (or, to others, a white flag). Now the concession agreements, the forging of which supposedly benefited from the technical guidance of the World Bank's International Finance Corp., as well as the questionable extension of their validity from 2022 to 2037, can be examined—and let the shards fall where they may.

It just might be possible that the "onerous" provisions, including the prohibition against government interference in rate-setting and the indemnity for possible losses in the event of such interference, would be fully disclosed, and those responsible haled to court and justly penalized. (Hope springs.)

Earlier, Mr. Duterte having apparently expended his initial rage at the prospect of paying Manila Water and Maynilad P7.4 billion and P3.4 billion respectively, his people were called upon to smooth troubled waters and clarify that despite his barked order for new contracts, the government would not rescind the agreements and was only determined to remove the "onerous" provisions. He had also seemed to ease up on the threats of arrest and charges of economic sabotage, and deigned to say that he would speak with the water concessionaires and the government lawyers involved in crafting the agreements.

Manila Water, led by the Zobel de Ayalas, had early on expressed willingness for a "workable solution" to the furor caused by the Singapore-based Permanent Court of Arbitration's recent ruling that it be compensated for losses incurred due to its inability to raise water rates. The same court ruled in 2017 that Maynilad be similarly compensated. But Mr. Duterte had balked at this offer and rather dramatically demanded to know how he would explain to the Filipino people a compromise with those engaged in "economic plunder." (Think how such a stance would impact on China's aggressive behavior in the West Philippine Sea.)

In 1997, convinced that privatizing water services would once and for all address the water shortages plaguing Metro Manila, then President Fidel V. Ramos signed Republic Act No. 8041 (the National Water Crisis Act), leading to the transfer of water services to private hands. RA 8041 also mandated the reorganization of the all but useless Metropolitan Waterworks and Sewerage System (MWSS), under whose stewardship, less than 70 percent of the burgeoning metropolis had access to water, and illegal connections as well as leaking pipes were practically the norm.



Ayala Corp. and the Lopezes' Benpres Holdings won the bidding for the privatization project in 1997, forming Manila Water and Maynilad to service the East and West Zones, respectively. Within years, Maynilad was floundering and near collapse; in January 2007 a joint venture of Metro Pacific Investments Corp. and DMCI Holdings took over the company from Benpres and acquired 84 percent of its shares.

Benpres' failure to rise to the challenge of being half of what was touted as the world's largest water privatization effort demonstrated the perils that accompanied the project. "It could well be a case of street-smart companies making unrealistic and unsustainable bids just to win the tender, and gambling on the possibility that the rules of the game may be changed in their favor, given the weakness of regulation in the country and the state's historical permeability to private interests," wrote the economist Jude Esguerra in a study.

And why did the administration of then President Gloria Macapagal-Arroyo give the concession agreements an overly extended lease on life despite their shaky origins?

"Overall, the two concessionaires' moves to muddle the arrangements constitute only half of the explanation on why the concession agreement was effectively mangled," Esguerra wrote in the early years. "The response of public institutions and officials—those tasked to uphold the public interest—constitutes the other half."

To be sure, the metropolis' dry sectors gained access to the precious resource when water services were privatized. But appears that the concession agreements were damaged from the start, and their flaws just now beginning to show.

There's an African proverb that illustrates this fine kettle of fish: When elephants fight, it's the grass that suffers.



# MWSS cancels water contract extension

## MWSS From Page 1

being asked everywhere. Right now, our investors, creditors, shareholders are all asking the same question: what's gonna happen to us?"

"This is so very new to us. We really have to clearly study this. The repercussions are very significant for such an action," he added.

After the Senate hearing, he told reporters that all of their company's projects and loans would be affected.

"All our loans are immediately due and demandable upon changes (in the contracts)," he said.

He was later overheard telling MWSS chief Emmanuel Salamat that a loan default by Manila Water was a real prospect.

Maynilad, the concessionaire for Metro Manila's west zone, announced that it had given up its compensation claim of nearly P4 billion from the government.

Ramoncito Fernandez, Maynilad chief executive officer, told a joint hearing of the House committees on good government and on public ac-

countability on Tuesday that the decision was reached right after President Duterte declared he would not honor the claim of compensation contained in a 2017 ruling by an international arbitral court based in Singapore.

The concession deal was extended during the Arroyo administration when the Clean Water Act or Republic Act 9275 was enacted into law.

The same arbitral tribunal in Singapore ordered the government last month to pay Ayala-led Manila Water P7.4 billion in indemnification supposedly for lost revenues from an unenforced rate hike. The company is also waiving the award.

The group of industrialist Manuel V. Pangilinan owns Maynilad.

The two House panels are looking into the water contracts forged during past administrations.

The President earlier declared the deals "onerous" and disadvantageous to the government.

"We won an arbitral award in 2017. When we were ignored, we did not insist. We're no longer pursuing the award of the arbitral tribunal," Fernandez told the committees chaired by Rep. Mike Defensor (public accountability) and Rep. Jonathan Sy-Alvarado (good government).

"It was on the agenda that the board should tackle the resolution on the approval of the extension of the concession agreement, that was in 2008 and 2009," Cleofas recalled.

At a press briefing, Finance Secretary Carlos Dominguez III praised the water firms for dropping their claims and expressing willingness to discuss the terms of their contracts with the government.

"We are pleased that the concessionaires have actually come forward to do two things. Number one, they said that the arbitral awards that gave them P10 billion will not be enforced or collected, and that they are willing to review those terms (in the contracts)," Dominguez said.

"I suppose, from their side (they can) make suggestions

on how to correct the imbalances in those concession agreements so we will wait for their formal proposals," he added.

He said the Department of Justice (DOJ) and the Office of the Solicitor General are already conducting the review of the contracts.

"The whole point is to make it fair to the Filipino taxpayer and the user of the water," Dominguez said.

Socioeconomic Planning Secretary Ernesto Pernia, for his part, said President Duterte's demand to amend the water concession deals won't affect efforts to lure investors.

"I don't think (it will affect efforts to attract investors) because it was really super onerous," Pernia said in a chance interview at Malacañang.

"If contracts are defective, are unconstitutional, they have to be revised. The sanctity of contracts, if they are not saintly, if they are not sanctum, holy, then they have to be revised," he added.

Pernia said the concession deals were "unconstitutional" because the government was





essentially "surrendering its power to regulate."

"It's a sovereign surrender," Pernia added.

### Development goals

Socioeconomic Planning Undersecretary Rosemarie Edillon said a review of the contracts is in line with the administration's Sustainable Development Goals (SDG), which seek to ensure universal access to potable water and sanitation facilities.

"The recent move is really in line with the SDG because if the water charges are actually increased, then it may disenfranchise many households from this resource," Edillon said.

"Of course the other side of that SDG, of that goal, is really making sure that the water resource itself is maintained, actually sustained so that the next generation will also have that," she added.

There are more issues the country's two biggest water concessionaires need to address despite agreeing to drop over P10 billion in compensation claims from the government and defer their rate increases scheduled for early

next year, lawmakers said yesterday.

House Speaker Alan Peter Cayetano said the committees on good government and public accountability and on public accounts would tackle more issues in the congressional inquiry on operations of Manila Water and Maynilad.

"The House investigation will proceed until we have resolved all the problems on water industry and we are able to ensure that public interest is protected," he said in an interview.

Cayetano said that while he recognized the decision of the two water firms to drop their arbitral claims as "good-will" and a "giant big step," there are other issues that they need to clear up before a legislative inquiry.

"The House will not stop until we are able to address all these issues. The two companies have shown good will and that they are looking also for solutions, but there are many other issues so we have to proceed with those," he stressed.

- With Alexis Romero, Evelyn Macairan, Mary Grace Padin, Edu Punay



# MWSS confirms revocation of renewed water concession deal

By CHARISSA M. LUCI-ATIENZA

The Metropolitan Waterworks and Sewerage System (MWSS) confirmed Wednesday that it has "revoked" board resolutions extending and renewing the government's concession agreement with Maynilad Water Services, Inc. and Manila Water Company until 2037.

Deputy Administrator for Engineering Leonor Cleofas made the confirmation during the second leg of the joint hearing of the House Committee on Good Government and Public Accountability and the



HOUSE PROBES WATER CONTRACTS – Ramoncito Fernandez (left), president and CEO of Maynilad, and Tony Aquino (right), former president of Manila Water, answer questions from members of the House of Representatives during a congressional investigation on the contracts and services of the two giant water concessionaires on Wednesday, Dec. 11. The MWSS has announced that its board has revoked the extension of the concession contracts of Maynilad and Manila Water. (Alvin Kasiban)

## MWSS confirms revocation...

House Committee on Public Accounts on the supposed 12 onerous provisions in the concession deal.

She said the revocation of the concession agreement extension was made on December 5 during a meeting of the MWSS Board.

"The new board, based on the recent directive of the President on the Cabinet meeting, they are now revoking the board resolution adopted in 2008 and 2009," Cleofas told the joint panel.

It was Anakalusugan Rep. Mike Defensor who initially asked MWSS to clarify if the extension of the concession agreement is scrapped.

"We want to know exactly the truth and details of the action taken by the MWSS," Defensor said.

Deputy Majority Leader and Cavite Rep. Crispin Remulla further looked into the details of the revocation of the board resolutions that prodded Atty. Howard Azardon of the Office of the Government Corporate Counsel (OGCC) to apprise the joint panel about it.

Azardon relayed to the joint panel that Board Resolution No. 2009-72 dated August 16, 2008 pertaining to the renewal and extension of the concession agreement with Manila Water Company and Board Resolution No. 2010-172 dated September 10, 2009 pertaining to the renewal and extension of the Maynilad have been revoked.

"The concessionaires are given three days from the receipt of notice to file their position on the matter so that the Board can address their concerns," he said.

### Increase in water tariffs

Maynilad Water president and chief executive officer Ramoncito Fernandez and Manila Water former president Tony Aquino said they only received the notice during the joint panel hearing.

Fernandez expressed Manila Water's "grave concern" over the MWSS' supposed "unilateral" revocation of the extension agreement.

"We would like to react that it is with grave concern that we view this action, and we believe that it is not proper to unilaterally revoke the board resolution," he said.

Fernandez said there was "formal extension agreement that was signed by the President of the Republic of the Philippines" through the Department of Finance (DOF).

Aquino said he was one with Fernandez in expressing serious concern over the revocation of the board resolutions.

The concession agreement is set to expire in 2022.

Christopher Chuegan of the MWSS Regulatory Office told the joint panel that if the contract is cancelled, there will be "more price adjustment."

Fernandez said if the concession agreement is not extended, an increase in water tariffs is expected.

"It will go very high. The rationale of the extension at the time is to mitigate the spikes in tariff because the water concessionaires have to pour in huge investments," he said.

If the extended concession agreements are cancelled, it means that the company will either fast-track their projects in order to meet their targets or will just abandon them once their contracts expired in 2022.

Failure to fulfill their obligations will allow the Philippine government to pursue a case against Maynilad and Manila Water.

During the hearing, Deputy Speaker and Surigao del Sur Rep. Butch Pichay asked the MWSS if it could solely handle the water services should the concession agreement be abrogated.

Cleofas replied in the negative, citing they have only 100 personnel.

"So you can't live without the two concessionaires," Pichay asked.

"If there will be no concessionaires, the government should allocate funds [for water management]," he stressed.

### Always a party

During the hearing, AKO Bicol Party-list Rep. Alfredo Garbin Jr. and Bayan Muna party-list Rep. Carlos Isagani Zarate asked the two water concessionaires if they are willing to amend the concession agreement.

Both Fernandez and Aquino expressed anew their readiness to sit down with the government to review the contract.

They said "total solutions" should be pursued rather than "piece-meal" approach in addressing the supposed "onerous" 12 provisions of the concession agreement.

"We are willing to sit down and cooperate," Fernandez said.

Zarate specifically asked Maynilad and Manila Water if they are willing to delete the provision on non-interference on the rate setting and rate rebasing.

"Are you willing to have this provision on non-interference be deleted?" he asked.

Both Aquino and Fernandez said the government is "always a party" in the setting of water rates.

"Setting the tariffs is not unilateral," Aquino said, explaining that the MWSS and the Regulatory Office have been consulted about the rate setting.

Fernandez agreed with Aquino, citing that Maynilad "followed the same process

with that of Manila Water."

Lawyer Rosario Cuevas of the Department of Justice said the DOJ found the non-interference provision "illegal and contrary to law."

She said they submitted their final review in May, after President Duterte issued a directive to review the concession pact in April following the water crisis in Metro Manila.

"We reviewed the terms and conditions of the concession agreement. We found several onerous provisions. We also identified a provision which is illegal and contrary to the law," Cuevas said, referring to the provision of non-interference.

During the hearing, Cavite Rep. Elpidio Barzaga asked to "formalize" the water concessionaires' commitment that they would drop their almost P11-billion indemnification claim.



THE: "MWSS confirms revocation of renewed water concession deal"

PAGE 1/ 2/2

DATE

"Oral promises, most of time, are not complied," he said.

Gabriela Rep. Arlene Brosas insisted that the water concessionaires should get legislative franchise from Congress since they are public utilities.

Aquino and Fernandez maintained that they are just "agents" of a public utility, which is the MWSS.

"Without legislative franchise, it is in violation of the Constitution," Brosas said

Cuevas, when asked to comment, said the DOJ believes that "both concessionaires are public utilities performing public service."

During the hearing, the MWSS admitted that there will be water shortages until next year, after Surigao del Norte Rep. Robert Ace Barbers asked if the public can expect there will be no water crisis.

Cleofas said the procurement of mobile water treatment facilities and deep wells is ongoing to prevent water shortages.

She battled for the completion of the "long-overdue" Kaliwa project to ensure reliable and sufficient water sources.

#### Lack of expertise

Meanwhile, former MWSS administrator Dr. Angel Lazaro III admits to lack expertise and knowledge when they signed the concession agreements in 1997.

Lazaro III appeared Wednesday before the Senate Committee on Public Services' deliberation on bills seeking the creation of a single agency to handle water resources management in the country.

It was Lazaro who signed the concession agreements between the MWSS and the two water companies in February 21, 1997, two years after former President Fidel Ramos signed the National Water Crisis Act of 1995 which allowed the privatization of state-run water facilities to address the MWSS' low coverage and its millions of dollars of debts.

But he appeared to wash his hands in the crafting of the controversial contracts and clarified in the hearing how these came about.

Lazaro, an engineer, said consultants were tapped in 1996 to assist the government in drafting the concession agreements.

"I am not ashamed to admit that we were not experts on this (privatization). Because it was new then, and we were not experts," he told the committee.

The consultants, according to Lazaro, included foreign and local lawyers, economists and representatives of the World Bank, Accra Law, National Economic Research Associates, Punong Bayan & Associates, Social Weather Stations, and public relations firms; among others.

The draft was then approved by the MWSS Board of Trustees, whose members included him and officials of the Department of Public Works and Highways (DPWH), Department of Finance (DOF) and Office of the Government Corporate Counsel (OGCC) and other presidential appointees.

After their approval, Lazaro said they forwarded the concession agreement for review of a special advisory group that was composed of members of Ramos's Cabinet, namely, the executive secretary, presidential legal counsel, Justice secretary, DOF secretary, DPWH secretary and OGCC chief.

"Ni-recommend na okay na, pinirmahan ni Presidente, saka ko pinirmahan (They recommended that it was okay, then the President signed it, and it was only after that I signed the concession agreement)," he pointed out.

"Inhinyero lang ho ako (I am just an engineer). These taxes, I'm not really sure what it means. And I guess, I can be excused for that. I don't really I know bakit nakalusot (why it was approved)," Lazaro replied.

Lazaro also admitted later that inputs from water companies were also considered in coming up with the contract, although he maintained that they had no say over its provisions.

"Nagkaroon sila ng consultation with the bidders... but was not a discussion where pinakikinggan lang 'yong mga bidders... It's a government decision. Pero nagkaaroon ng consultation, kaya yong mga bidders, nakapag-input din sila. At yong ibang mga input nila, ang alam ko, inadopt na lang ng consultants. So hindi naman ito 100 percent na [gawa] ng gobyerno," he said. (With reports from Madelaine B. Mirafior and Vanne Elaine P. Terrazola)



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE

**BusinessMirror**

*Ahmadia look at today's business*

84  
PAGE

UPPER  
 LOWER

PAGE 1  
STORY

BANNER  
STORY

EDITORIAL

CARTOON

12-12-19

DATE

TITLE:

PAGE 1/

A DECADE  
LATER, LEGAL  
TIFF STILL  
HAUNTS  
WORLD'S  
LARGEST  
WATER  
PRIVATIZATION



BY THE BUSINESSMIRROR BROADER LOOK TEAM

## TWENTY-THREE years ago, an elephant that couldn't fly became lean and water was separated into two.

These characterized the world's largest water privatization: the Metropolitan Water and Sewerage System (MWSS)—the elephant, according to former government official Mark Dumol—shredded a large chunk of its workforce when its water business was halved into the East Zone and the West Zone. MWSS no longer was the operator; it became a regulator and franchisor of water for East Zone franchisee Ayala Corp. and West Zone franchisee Benpres Holdings Inc. beginning August 1, 1997.

This almost came to naught because of a legal tussle prior to the bidding for the contract, according to Dumol, then Chief of Staff at the Department of Public Works and Highways (DPWH). In his book *The Manila Water Concession: A Key Government Official's Diary of the World's Largest Water Privatization*, Dumol said that while a Committee on Privatization reviewed documents related to the business transaction, the Court of Appeals (CA) issued a 20-day restraining order on the awards of contract.

Dumol wrote that then-President Fidel V. Ramos "vowed to fight the [RO], using all of the government's resources." Ramos and his administration did, and Maynilad Water Services Inc. and Manila Water Co. Inc. took over the operation previously led by the MWSS.

More than two decades later, a tiff between the MWSS, Maynilad and Manila Water and the Supreme Court on waste water muddies the generation, storage and distribution of a very essential resource.

### Waste not, want not

THE legal row on dirty water revolves around two sections of the CWA, or the "Clean Water Act of 2004" [Republic Act (RA) 9275]: Sections 7 and 8. Included in the legal tussle are the fines and penalties imposed on the regulator and the concessionaires when they were sued by the agencies attached to the Department of Environment and Natural Resources (DENR) because of these sections.

Section 8 of the CWA provides that "within five years following the effectivity of this Act, the Agency vested to provide water supply and sewerage facilities and/or concessionaires in Metro Manila and other HUCs [highly urbanized cities] as defined in Republic Act 7160, in coordination with LGUs [local government units], shall be required to connect the existing sewage line found in all subdivisions, condominiums, commercial centers, hotels, sports and recreational facilities, hospitals, market places, public buildings, industrial complex and other similar establishments including households to available sewerage system: Provided, that the said connection shall be subject to sewerage services charge/fees in accordance with existing laws, rules or regulations unless the sources had already utilized their own sewerage system: Provided, further, that all sources of sewage and septage shall comply with the requirements herein."

Section 8 continued that, "in areas not considered as HUCs, the DPWH in coordination with the Department, DOH [Department of Health] and other concerned agencies, shall employ septage or combined sewerage-septage management system."

### A world of difference

MAYNILAD said in its Motion for Reconsideration (MR)—in the High Court's August 2019 decision upholding the DENR's fines—that the SC literally interpreted Section 8 and failed to consider that it is "related to and is dependent on Section 7, considering that the NS-SMP [National Program on Sewerage and Septage Management] required under the latter provision is, by express wording, to be prepared in connection with Section 8 of the same law."

Maynilad added, "This is confirmed when one takes into consideration the definition and contents of the NSSMP" under Rule 7 of DENR Administrative Order (AO) 2005-10 dated May 16, 2005, otherwise known as the CWA implementing rules and regulations (IRR), "which specifically implements Section 7 of the CWA." Thus,

Maynilad said it "most respectfully moves for the reconsideration of the [SC] decision" dated August 6, 2019. Maynilad said it received the SC decision on September 17 while its MR is dated December 11, 2019.

Manila Water, on the other hand, said in its prefatory statement in its own MR, that it is presenting to the High Court the "proper interpretation of the provisions" cited in Section 8.

Manila Water asks if it is "mandated within five years from enactment of the law [the CWA] to establish a complete centralized sewerage system or interconnect sewerage lines existing at the time of the enactment of the law to available sewerage systems."

The Ayala-led Manila Water noted, "With all due respect, there is a world of difference between the two."

Manila Water explained that, "from an urban development perspective, it is impossible to establish a complete centralized sewerage system that will service a steadily rising urban population within just five years."

It continued: "Such undertaking in such a timeframe would require simultaneous excavation in the roads that would bring the metropolis to a standstill."

### Tariffs, taxes

ACCORDING to Maynilad, the SC's "isolated and overly restrictive reading of Section 8 of the CWA has consequences which are prejudicial to the trust beneficiaries—the general public—under [a] 'Public Trust Doctrine.'"

In its MR, the Pangilinan-led Maynilad added that, "In addition to promoting the fragmented approach abhorred by the CWA, and thereby aggravating the overall water pollution problem, the isolationist approach to Section 8 of the CWA, which forces compliance [whether then or now] in a span of five years, has other detrimental consequences [that] impose great burden on the general public."

It explained: "First, forcing complete interconnection in a span of five years would result in a huge financial burden on Maynilad's customers."

It is the MWSS, the company explained, that has the power to fix periodically the water rates, which include the sewerage charge. "In fixing the rates or in determining the adjustments thereto during a



rate rebasing exercise, the past receipts and expenditures as well as the anticipated receipts and expenditures of the concessionaires are taken into consideration."

The company also emphasized "that the expenditures involved in completing interconnection in just a span of five years, if it were to be effective at all, would not only pertain to the connection of all existing sewerage lines to available sewerage systems, but also, to the acquisition of all the necessary land and rights-of-way/road access to build sufficient wastewater treatment facilities that are necessary to treat sewage and septage, and likewise, to the construction, operation and maintenance of said facilities."

### Expenditures massive

MAYNILAD said that "requiring all of these to be done in a span of five years would mean massive expenditures in a short period of time, thereby resulting in unacceptable tariff levels which the general public will have great difficulty paying."

Based on its financial projections, Maynilad said it would have to spend more than P149 billion using 2019 prices to put up sufficient wastewater facilities to meet 100-percent sewerage coverage by 2022. Such expenditure would result in an increase in tariff by P11.74 per cubic meter, which is more than twice the tariff increase of P5.73 for the period 2018 to 2022, or almost P49 per cubic meter, Maynilad explained.

"This does not yet consider the capital expenditures needed for the development of alternative water sources, concession fee payments and other costs to operate the water and wastewater treatment facilities of Maynilad," the company added.

Such "sudden increase would cripple common Filipinos' access to water, as many would be unable to shoulder such high financial burden, especially in these difficult times where they are already dealing with skyrocketing prices of other equally important necessities like food, electricity and gasoline," Maynilad claimed. "Worse, even with the drastic increase in expenditure, it would be difficult to guarantee the efficiency of a sewerage and septage management program that is haphazardly implemented, and even lacking, in terms of guidance from the respective government agencies like the DOH and the DPWH."

### Road congestion

INTERCONNECTING all the sewerage lines in the service area of Maynilad within a period of five years will aggravate the already unacceptable traffic situation in Metro Manila, the utility claimed in its MR.

This, at a time when Metro Manila has been declared the most congested developing Asian city in a 2019 report of the Asian Development Bank (ADB). In 2018, the Japan International Cooperation Agency (Jica) had estimated that the country was losing P3.5 billion daily due to traffic congestion in Metro Manila.

Maynilad said assuming it pushed for the interconnection of all sewerage lines within five years as demanded by the SC's decision, the Jica estimates it "would most certainly soar to unconscionable amounts."

The company said that for Maynilad alone, achieving 100-percent sewerage coverage for its concession area in a span of five years would mean having to lay down sewer lines with a total length of 424,283 meters within

the said period.

"Even assuming that this is humanly possible given such distance and time period, traffic within the affected areas would have to be at a complete standstill in order to accommodate the excavation works necessary to lay down the said sewer lines," the company warned.

It added that this is especially true with respect to Metro Manila, where 378,855 meters of the 424,283 meters or 89 percent of the required sewer lines will have to be installed.

### Five years

IT must be stressed that the works required to install a centralized sewerage network involve an extensive excavation of major and minor thoroughfares. Conventional methods of trench digging for large-bore gravity sewerage would be chaotic and would take decades to implement.

As sewerage pipelines must be installed five meters, on the average, below the ground (vis-a-vis water lines which are installed only a meter, on the average, below ground), contractors would have to dig deep, which in itself is also a difficult process considering the numerous factors affecting the process of excavation, like soil liquefaction and positioning of existing pipelines, among others, the utility pointed out.

"With such intricacies and considering the length of sewerage

quiring interconnection in a span of five years [assuming possible] would lead to a complete standstill of traffic in roads and thoroughfares in Metro Manila, as well as portions of Cavite, and, as a consequence, adversely impact businesses and the economy in general."

In residential areas bordering central business districts and even in commercial districts, the roads are too narrow that they sometimes cannot accommodate even two-way traffic. Rerouting in these areas could be possible if work were to be done only at certain times of the day.

But Maynilad asserted that if it simultaneously worked on interconnecting all sewerage lines within the area as the SC deci-

sion would impose, there would be no alternative routes left for individuals residing in or passing through the area.

### Overspending

MANILA Water also raised the traffic congestion flag and the amount of investments required.

The company claimed that "even under the most optimistic of projections," a complete centralized sewerage system would require an estimated total investment of at least P114.836 billion in capital expenses and P57.4 billion in operating expenses, or a total expenditure of P172.240 billion to complete the project within a period of 19 years. It added that the traffic congestion concomitant

to the project would cost P3.5 billion in losses, which translates to a daily loss of an estimated P274 for every motorist in Metro Manila, which is a few steps behind Metro Manila's minimum wage of P345.

"It bears emphasis that the investment required is actually on par with cities of comparable size, population and density to that of Metro Manila," Manila Water said.

It cited as example Singapore's development of its sewerage system to achieve full coverage within 40 years. The firm added that in Hong Kong, the modernization of the city's sewerage system required two tranches of investments amounting to \$8.1 billion with projected annual operating cost of \$1.43 billion and \$10.8 billion,



HC

with projected additional annual operating cost of \$700 million to ensure full sewer coverage within eight years.

## Recoup expenses

MANILA Water said that as of December 2018, it had already spent a total of P38.5 billion for wastewater projects, greater than the P36.9 billion it collected in sewer charges.

"On the assumption that costs related to the full implementation of the sewerage network are to be recovered by the concessionaires, by the end of the concession agreement, the fees that ought to be collected from the end consumers [on top of their water consumption] would amount to P26.70 per cubic meter—or a 780.18-percent

increase in water rates.

"In Metro Manila, where the median household monthly income is P35,416.67 per month with P29,083.33 going to expenses, the additional fees would not only eat into the meager savings of the average Filipino household, but also potentially divert funds supposedly dedicated to other necessities," Manila Water said. "In this regard, the additional expenses clearly have an exclusionary effect since it makes it more difficult for the average Filipino family to have access to water."

It told the High Tribunal that "this setup is diametrically opposed to the very spirit" of the Clean Water Act, "which aims to not only improve the quality of wa-

ter resources, but also ensure that the populace has access to safe and reliable water supply."

## The penalty explained

IN its decision, the SC upheld the CA's decision in finding Manila Water and Maynilad to have violated Section 8.

The two companies were imposed a fine amounting to P921,464,184 each, based on the assumption they must establish a complete centralized sewerage system within five years from effectivity of the CWA.

The SC noted that as of 2016, Manila Water had only completed 19 percent of a complete centralized sewerage system. Maynilad had attained only 13-percent sewerage coverage for its water-served population as of April 30, 2017.

"Basing on Maynilad and Manila Water's own assertions, petitioners' compliance with Section 8 of the law is dismal at best," the SC said. "Given that a decade has already passed following the effectivity of the Clean Water Act, both concessionaires' compliance to Section 8 at this current year do not even reach 20-percent sewerage coverage."

Meanwhile, Buhay Party-list Rep. Lito Atienza, the secretary of the Department of Environment and Natural Resources (DENR) whom the water companies had sued all the way to the SC when he imposed the fines, expressed relief over the SC's August 2019 ruling at a recent BUSINESSMIRROR Coffee Club Forum organized by the ALC Media Group.

Atienza pointed to the huge incomes reported yearly by the two concessionaires in a bid to show that their operations, while requiring huge investments, were very profitable.

## What about the LGUs?

THE total P2-billion fine imposed by the SC, meanwhile, has been cited as "excessive" and unjust by the water concessionaires.

Maynilad said it "and other water concessionaires have been unjustly singled out to suffer the detrimental consequences of the SC's decision, despite and in spite of the glaring failure of other government players to concomitantly take the necessary steps to implement the CWA."

"Without the LGU's cooperation in appropriating needed land and right-of-way/road access; as well as the required DOH Guidelines and Standards on sewage, the DPWH's NSSMP, and the DENR's Water Quality Management Strategy Action Plan, the mandated interconnection of all sewerage lines within a five-year time frame is to force Maynilad to walk blindly into an undertaking which will unduly disrupt the everyday lives of the metropolis' citizens," the company said.

"Moreover, by the imposition of penal sanctions in the form of excessive fines, inflicted without the benefit of an evidentiary hearing, and therefore in the nature of a bill of attainder, this Honorable Court would sacrifice Maynilad upon the altar of an erroneous appreciation of wastewater management," it added in its MR.

## Lost legacy?

IN its concluding statements, Maynilad noted the history of the "world's largest water privatization," as cited by the International Finance Corp.

Indeed, "more than two decades ago, one of the most sweeping structural reforms in Philippine economy took place—the privatization of water and sewerage services in Greater Manila."

Maynilad said this "drastic shift was set against the backdrop of an acute water crisis, with large swathes of Greater Manila having little to no supply of potable water, a proliferation of water theft and water smuggling, and lack of access to piped-in water supply."

"At such time, the MWSS was supplying water to only two-thirds of its coverage population, with an average of only 16 hours per day, as opposed to 24 hours in other Southeast Asian countries," it said. "Out of the roughly 3,000 million liters per day flowing from the Angat reservoir, 56 percent was non-revenue water. With respect to sewerage, MWSS serviced only 8 percent of its coverage population."

The Philippine government recognized that monumental problems—water supply and sanitation—called for bold action. Thus, RA 8041, or the Water Crisis Act of 1995, was passed, setting the stage for the privatization of state-run water facilities. The Philippine government decided to award concession contracts covering two service areas with a combined population of 11 million and projected investment needs of \$7 billion, the company wrote in its MR.

"In spite of the obstacles ahead and the enormous responsibility on its shoulders, Maynilad rose to the challenge and took it upon itself to do what no other water concessionaire has done," the company said. "Thereafter, Metro Manila became 'the biggest metropolis in the developing world to be served by private water operators.'"

These days, as the High Court is still reviewing the two concessionaires' respective MRs, they both must grapple with yet another challenge. The Executive branch, completing a Justice department review of their 1997 concession agreements with the Ramos administration—and the subsequent 15-year extension to those contracts given by the Arroyo administration—has hit back at Maynilad and Manila Water, deeming several provisions of the agreements "onerous."

  
PAGE  
UPPER  
  
LOWER  
PAGE 1  
STORY  
BANNER  
STORY  
EDITORIAL  
CARTOON

TITLE:

A DECADE LATER...

PAGE 1/

5/5

22-12-19

DATE

In marathon hearings at the House of Representatives on Tuesday, officials of both utilities announced they were waiving the collection from the government of separate awards, totalling P10.79 billion, given them by the Permanent Court of Arbitration in Singapore. The two companies had sought arbitration because they blamed huge losses on the refusal of the Philippine government—not the Duterte administration—to approve tariff hikes.

Waiving the arbitral awards and deferring scheduled January 2020 rate hikes; not to mention seeing the MWSS revoke its 2008 board resolution extending their original contracts from the 2022 expiration until 2037—the two giant utilities are, indeed, facing existential challenges.

If Justice Secretary Menardo I. Guevarra's words are any consolation, the present government's thrust is to redress any part of the 1997 deal that could give rise to more disputes. "The issue of paying the arbitral award is not as important as ensuring that disputes arising from burdensome provisions of the water concession agreements will never happen again in the future," the DOJ chief said. Among others, he was apparently referring to sovereign guarantees, the restrictions on regulators, and the premature extension of the 25-year contracts.

Unless the government and the private concessionaires find a clear and just way out of this, what was once hailed as the world's biggest privatization may end up as a major failure.



## FROM THE STANDS

DOMINI M. TORREVILLAS



### Banning one-use plastic bags

The time has come to give up using one-use plastic bags. Housewives and market vendors are the most reluctant of species to say goodbye to the utility bags. They wrap seafoods, meat products and vegetables with plastic – for what should they use to keep the fish liquid from dripping from a paper bag? And how to store perishables in the freezer? And what to do with the used plastic wrapper except to throw it in the garbage can?

The demand is to stop using one-use plastic bags which contribute a great deal to the garbage crisis worldwide. Pictures of garbage dumps show the bags along with piles and piles of plastic bottles, cups, glasses and eating utensils.

The clean-up drives in Boracay and parts of Manila Bay have made the areas cleaner. But most everywhere in the metropolis, plastics clog the esteros and decorate the front yards and walks particularly in squatter areas.

Clearly, as Environment Secretary Cimatú has been quoted regarding the garbage problem, the throwaway habit is "a culture and behavior problem. Because despite our warning to them (residents) to not throw anything, the garbage is there again." What is crucial in the cleaning up of the environment is "political will," he said.

Already, 60 countries have taken the issue seriously, imposing taxes and penalties on people using one-use plastic. In the United States, a number of cities, including San Francisco and Seattle have banned single-use plastic. Washington DC and Boston impose taxes on plastic bags.

A *Business Today* report relates that the Prime Minister Narendra Modi-led government is aiming to limit the consumption of the commodity and eventually eliminate it by 2022. The initiative to crack down on plastic was launched on the 150th birth anniversary of Mahatma Gandhi.

Other countries banning plastic bags are Kenya, which completely banned their use in 2017 and violators face imprisonment or a fine of \$40,000. Another African country, Rwanda, has a complete ban on plastic, and authorities search vehicles at border posts for any plastic bag or packaging. Zimbabwe also has a ban on styrofoam containers, and fine violators \$5,000. In 2016, France banned plastic cups, plates and utensils as well. According to an Internet report, the Justin Trudeau-led government is trying to take necessary measures to reduce plastic pollution in Canada, including bottles, bags and straws as early as 2021. In Montreal, Canadian authorities fine violators \$1,000. Taiwan and South Korea have also banned the use of plastic bags in major supermarkets, and fine violators \$2,700.

President Rodrigo Duterte, according to a report, is considering banning the use of plastics, although this would require legislative action. An archipelago of more than 7,100 islands, the Philippines has been identified as the third-worst ocean plastic polluter in the world after China and Indonesia, accounting for 5.9 percent of total plastic in the world's seas, according to a global 2015 study.

A 2017 report by the environment group

Global Alliance for Incinerator Alternatives, showed that Filipinos use more than 163 million plastic sachets, 48 million shopping bags and 45 million thin-film bags daily.

The national single-use plastic ban bill should include drastic reduction of the manufacture of single-use plastic products and packaging, and their eventual elimination from the market, said the report.

Environmental watchdog Greenpeace welcomed Duterte's considering a national ban on plastic use. Abigail Aguilar, regional campaign coordinator at Greenpeace Southeast Asia, said "the scourge of single-use plastics is to avoid its manufacture. The ban should include the phaseout of sachet packaging, direct companies to redesign products and packaging, and given incentives to reuse, refill and other alternative delivery systems. It should not include false solutions such as materials substitution to paper or bioplastics, light weighting of packaging, and chemical recycling.

Thankfully, some places in the Philippines are already banning single-use plastic. In Palawan, El Nido's local government passed a no plastic ordinance on Dec. 8, 2017. It is reported to be stricter on boat tours where passengers are prohibited to bring all kinds of plastics like water bottles and styrofoam containers.

Wikimedia reports that according to the Philippine Plastic Industry Association, the University of the Philippines-Los Baños has been plastic-free already for a decade. On June 2, 2008, the town's Sangguniang Bayan prohibited the use of plastic bags and styrofoam containers as packaging materials for dry and wet goods.

Wikimedia reports that a memorandum signed by Mayor Tomas Osmeña has made Cebu City Hall plastic-free. Employees and concessionaires within the government office are not allowed to use plastic bags, straws, cups, plates, utensils and Styrofoam containers.

In Talisay, Negros Occidental, an ordinance approved by Mayor Evelio Leonardia has banned the use of plastic and sando bags as packaging material since 2011.

The Sustainable Palengke campaign in San Fernando, La Union, resulted in the implementation of City Ordinance No. 2014-0 which penalizes anyone who uses extra plastic when bagging wet goods in public markets. This development was made possible through the efforts of local environmental groups La Union Soul and The Plastic Solution.

Other places where single-use plastic use is banned are Negros Oriental, through Gov. Roel Degamo's issuing of an executive order; Baguio City which bans sando bags after the Plastic and Styrofoam-free Baguio City ordinance which also prohibits business establishments from providing plastic containers for both dine-in and take-out food and drinks.

The province of Pangasinan has a number of towns that are already regulating the use of the undesired containers. They include Rosales, Labrador, San Carlos, Bayambang, Villasis, Asingan, Binalonan, Laoac, Alcala, Umingan, Bautista and Natividad.

Turn to page 12



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE



9  
PAGE

UPPER  
 LOWER

PAGE 1  
STORY

BANNER  
STORY

EDITORIAL

CARTOON

12-12-19

DATE

FILE:

"Banning one-use plastic bags"

PAGE 1/

2/2

**TORREVILLAS** From page 9

Again, from Wikimedia, Pilar, a town on Siargao Island known for the Magpupungko Rock Formations, was the first municipality in the entire Surigao del Norte to enforce a ban on single-use plastic.

\* \* \*

So, in lieu of one-use plastic bags, what can one use in purchasing goods? Suggested are bags made of jute, denim, Envi-

Green s (look-alikes of plastic bags), and canvas bags. These are washable and can be used many times. For "sapin" inside bags containing wet goods, one can use folded old newspapers. The shift away from one-use bags means some sacrificing on the part of consumers and sellers, but in the long run, it will spell saving our environment.

\* \* \*

Email: [dominitorrevillas@gmail.com](mailto:dominitorrevillas@gmail.com)





## Public urged to make X'mas celebration waste-free

By **CORY MARTINEZ**

THE environment-advocate group, EcoWaste Coalition has called on the public to make the celebration of Christmas season to be plastic-free and waste-free.

The group through its zero waste campaigner Jove Benosa made the appeal as he stressed the need for respect to the basic human right to a healthy environment.

As part of their plastic-free and waste-free holiday campaign, the group's members together with the Barangay Sta. Teresita Council in Manila, gathered outside the barangay hall in front of the Dapitan Arcade, a popular spot for buying Christmas decorations and bric-a-bracs, to offer consumers some practical tips for a greener Christmas.

"Making this year's celebration of Christmas plastic-free and waste-free will contribute to the fulfillment of the right to a healthy environment that all per-

sons and communities deserve to enjoy," Benosa said.

"Specifically, reducing one's plastic footprint during this festive occasion and beyond will help in cutting the demand for fossil fuels that causes global warming, and also cut the volume of plastics that is burned, buried or dumped into the oceans," he said.

The group echoed the statement by the UN Special Rapporteur on human rights and the environment saying that "a safe, clean, healthy and sustainable environment is integral to the full enjoyment of a wide range of human rights, including the rights to life, health, food, water and sanitation."

With the right to a healthy environment in mind, the group urged the public to observe the following suggestions for a plastic-free and waste-free Christmas: Make a shopping checklist to avoid impulse and wasteful buying and over-spending and bring your own bayong or reusable

carry bags when you shop; refuse plastic or paper bags at the cashier counter.

The group also suggested to scout around for eco-friendly products before making a purchase; look for goods that are minimally packed, safe, durable, and which can be repaired, reused, recycled or passed on to other users.

The group further suggested to refrain from wrapping gifts and use old magazines, newspapers, fabric scraps or native baskets if wrapping cannot be avoided.

"Heeding our call for an eco-friendly Christmas will go a long way toward promoting sustainable consumption in our households and communities," said Benosa.

Among the citizens' groups that joined today's event were the Nagkakaisang Lakas ng mga Mangangalakal sa Longos, and the Samahan ng mga Mangangalakal ng Scrap sa Capulong, two active associations of non-formal waste recyclers.



## **Panukalang buwisan ang single-use plastic bags, lusot na sa House committee**

LUSOT na sa House Committee on Ways and Means ang panukalang patawan ng P20 na excise tax ang kada kilo ng single-use plastic bags.

Sinabi ng chairman ng komite na si Albay Rep. Joey Salceda na nabot sa P4.8 billion ang maaring kitain ng pamahalaan sa pagpapataw ng P20 kada kilo na levy sa mga single-use plastic bags na ginagamit sa mga supermarkets,

malls, at iba pang mga pamilihan.

Sa ilalim ng panukala, 100 percent ng kikitain dito ay ilalan sa solid waste management at implementasyon ng Republic Act 9003 o ang Ecological Solid Waste Management Act.

Sa kabila ng mataas na buwis, sinabi ni Salceda na minimal lamang ang impact nito sa mga sando plastic bags sa halagang P0.07 lamang.

Nagdesisyon aniya silang unang buwisan ang mga single-use plastic carriers kaysa ibang uri ng plastic, lalo na ang mga sachets, dahil maaring magdulot naman ito nang pagtaas ng presyo ng mga pagkain at basic commodities tulad ng shampoo at toothpaste.

"It's just the first step. The next step is a tax on

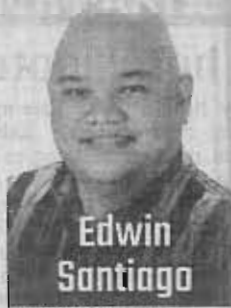
primary plastic packaging especially sachet since it accounts for 2/3 of solid waste and garbage," ani Salceda.

Para naman kay House Committee on Ways and Means Vice Chairman Estrellita Suansing of Nueva Ecija, ang pangunahing mayakda ng panukala, layon ng panukalang batas niyang ito na hikayatin ang paggamit ng mga environment-friendly alternatives sa mga single-use plastic bags.

Samantala, nanawagan naman si Environment Usec. for Solid Waste Management Benny Antiporda sa Kongreso na unang patawan ng buwis ang mga plastic residuals at sachets bilang karamihan sa mga basura sa bansa ay mga sachets naman at maninipis na plastics.



## TALAGA BA?



Edwin  
Santiago

TWITTER: @edsa\_manila

**N**atutuwa akong marinig na may krisis nga sa basura. Ang dahilan ng aking pagkatuwa ay hindi ang pagkakaroon ng krisis, kundi ang pag-amin ng pamahalaan natin na may krisis nga. Sa talakayang Pilipinas Conference na tinaguyod ng grupong Stratbase ADR Institute at may temang para sa kapaligiran at kalikasan, sinabi ng DENR Roy Cimatu na may krisis sa basura at

ito ay maaaring banta sa ating pamumuhay bilang tao.

Sa tinagal-tagal ng aking pagpuna sa ating pamahalaan sa kawalan ng pagkilala sa malubhang suliranin ng basura, kapaligiran at kalikasan, sa wakas ay narinig ko na ang mga salitang inaasahang kong magiging simula ng pagka-alarma hindi lang ng ating pamahalaan, kundi, lalong-lalo na, ng mga mamamayan.

Isa sa mga sinabi ni Cimatu na sa aking palagay ay malaking bahagi kung bakit mayroon tayong krisis sa basura ay ang pag-uugali ng ilan sa ating mga kababayan na walang pakundangang nagtatapon ng basura. Ani Cimatu, ang ganitong asal ay nangyayari dahil may mga lugar na hindi nararating ng mga basurero. Dahil rito, ang

## May krisis nga!

ginagawa ng mga tao doon ay ang itapon ang kanilang basura sa mga estero. Ngunit marahil din ay nakagawian na ang ganitong asal hanggang sa punto na kahit na may mga ibang kamaraan sa personal na pamamahala ng basura, nananaig pa rin ang kawalan ng pakialam ng ilan sa ating mga kababayan. Madaling mapagmasdan ang mga ito, tulad na lamang ang pag-tapon ng basura sa kalsada habang nasa sasakyan. Maliit man o malaki, basura pa rin ang mga ito, na magiging ugat ng mga pinsala, kagaya ng pagbaha na sanhi ng pag-bara ng mga daluyan ng tubig.

Sinabi rin ni Cimatu na ang kanilang naging solusyon dito ay ang pagtatalaga ng mga tinatawag nilang estero rangers. Sila ang

mga magbabantay sa kani-kanilang lugar para mapanatili ang kalinisan. Ang ganitong uri ng pagtugon ay kapwa nakakagalak at nakakalungkot. Nakakagalak sapagkat may aksyon ang pamahalaan para masugpo o mabawasan man lang ang ganitong mga pangyayari. Sa isang banda, nakakalungkot din na lagi natin kailangang may bantay upang gawin natin ang tama. Kagaya sa lansangan, madalas kong iniisip kung ano pa ang silbi ng mga traffic lights, kung meron din namang mga tao na magmamando ng trapiko.

Kasama rin sa talakayan si Senador Cynthia Villar. Aniya, ang krisis ay sa buong planeta. Muli, kindala ang sitwasyon sa pagbanggit ng katagang krisis. Narinig din mula sa punong-bayan ng

Maynila na si Isko Moreno at ng Quezon City na si Joy Belmonte ang kanilang mga suliranin at mga programa ukol sa basura sa kanilang mga nasasakupan. Maging ang mga kumpanya na lumahok sa talakayan ay nagbahagi ng kanilang mga programa. Kabilang dito ang Coca-Cola na ipinaliwanag na ang inuming Sprite na dati ay nasa plastik ang boteng green ay ngayon ay transparent na. Sinabi nila na mas mahirap i-recycle ang mga plastik na may kulay.

Sana mag-umpisa nang ma-alarma sa ating sitwasyon ang lahat ng ating kababayan, habang may panahon pa. Ang kailangan lang ay maging responsable sa ating mga basura. Talaga bang hihintayin natin ang punto na wala na tayong magagawa?



### *Ang aming pananaw...*

## **MALAKING TULONG NA ANG KITA, KALIKASAN MAPAPANGALAGAAN PA**

**MAKATUTULONG** nang malaki sa kita ng gobyerno ang isinusulong na pagbubuwis sa mga single-use plastic kasama na ang mga plastic sachets.

Tinatayang nasa P4.8 bilyon ang malilikom ng gobyerno kapag naipatupad ang pagbubuwis matapos na aprubahan ng House Committee on Ways and Means ang pagpapataw nito.

Bente pesos na buwis sa kada kilo ang ipapataw sa mga single-use plastic simula ngayong Enero. Inaasahan na ang kasunod nito ay maghihinay-hinay ang publiko sa paggamit ng single-use na plastic na gamit sa mga shampoo, 3-in-1 coffee at iba pang mga tingi-tinging produkto na kalimitang tinatangkilik ng mahihirap.

Nawa'y sa pamamagitan nito ay mapahinuhod ang mga manufacturer na bawasan ang paggamit ng single-use plastic at gamitin ng gobyerno ang malilikom na buwis sa programa para malabanan ang pagkasira ng ating kalikasan.

Maraming pamamaraan ang maaring ganap na maisakatuparan upang mabawasan ang paggamit ng plastic sa mga pagkain katulad ng paggamit ng dahon ng saging sa pagbabalot ng mga gulay na nasa supermarket sa halip na plastic, ang drinking straw na plastic ay maaring palitan ng gawa sa kawayan, ganoon din ang mga straw na ginagamit sa umusbong na milk tea shops sa bansa.

Magbibit ng mga eco bag o mga bag na gawa sa katsa upang mabawasan ang basura ng plastic. Hindi lamang sa kita ng gobyerno nakabase ang hakbanging ito kundi para na rin sa pangangalaga sa kalikasan.



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE

**Daily  
Tribune**  
www.dailytribune.com.ph

19  
PAGE

✓  
✓  
NETER  
COVER

PAGE  
STORY

PAGE  
STORY

EDITORIAL

CARTOON

12-12-19

DATE

# SEE THE FUTURE NOW!

COME AND JOIN US  
IN THE

PROMOTIONAL RUN FOR  
ADVANCED ENERGY TECHNOLOGY VEHICLES  
*(with Exhibits and Test Drives)*

14 DECEMBER 2019 (SATURDAY)  
at the QUEZON MEMORIAL CIRCLE GROUNDS

BROUGHT TO YOU BY:



DEPARTMENT OF ENERGY



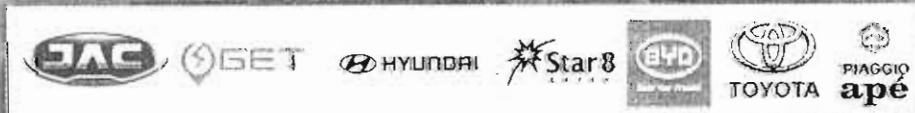
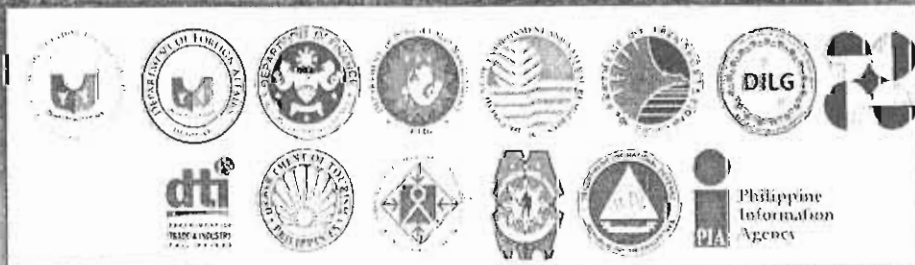
ENERGY UTILIZATION MANAGEMENT BUREAU

IN PARTNERSHIP WITH:



QUEZON CITY

IN COOPERATION WITH:





## LTOP execs humingi ng suporta kay Mandaluyong Mayor Abalos

December 11, 2019 By: Jun I. Legaspi People's Tonight

MARIING nanawagan ng suporta ang transport group kay Mandaluyong Mayor Carmelita "Menchie" Abalos upang mabilis na maipatupad ang Public Utility Vehicles Modernization Program sa siyudad.

Ang panawagan ay ginawa ng Liga ng Transportasyon at Operators sa Pilipinas (LTOP) national president Orlando Marquez, at chapter president nitong si Artemio Vinluan ng Mandaluyong Transport Group kaugnay sa utos ni President Rodrigo Duterte at Department of Transportation Secretary Arthur Tugade na magkaroon ng closed coordination sa mga Local Government Unit (LGU) para sa mabilis na implementation ng PUVMP ng national government.

Personal na inilapit ni Marquez at Vinluan kay Mayor Abalos ang reklamo ng mga ito sa ilang illegal terminal ng mga colorum na patuloy na nag ooperate sa siyudad.

Ayon sa grupo, kay Mayor Abalos na nila personal na inilalapit ang problema dahil kung ilang ulit na nilang inireklamo ito sa transport chief ng siyudad subalit hindi umano sila pinapansin.

"Kami po na sumusuporta sa PUVMP ayon sa utos ni President Duterte at Sec. Tugade ay nakikisuyo kay Mayor Abalos para personal na tignan ang aming reklamo dahil naantala ang modernization program dahil sa mga illegal terminal at colorum operations sa City," saad ni Marquez at Vinluan.

Ipinagtataka pa nina Marquez at Vinluan kahit pa may mga necessary permit at clearances na sila galing sa LTFRB, Department of Transportation, Department of Environment Natural Resources, Department of Energy at TESDA, ginugulo pa rin sila ng mga enforcer at ayaw kilalanin ang mga clearances nila galing sa mga nasabing government agency na pangunahing nagtutulak ng (PUVMP).





## Cagayan gov: Pagputol sa puno ugat ng malawakang pagbaha

SINISI sa ilegal na pagputol ng mga puno ang malawakang pagbabaha kasabay ng malalaking troso mula sa kabundukan sa probinsya ng Cagayan at Isabela sa Region 2.

Ito ang naging pahayag ni Cagayan Gov. Manuel Mamba, dahil sa illegal na aktibidad ay hindi umano napigilan ang pagbulusok ng malawakang pagbaha kung saan libo-libong pamilya ang naapektuhan.

Gayunman, pinabulaanan ito ni Department of Environment and Natural Resources (DENR) regional director Atty. Antonio Abawag. Aniya, mga nabunot na puno at mga dead wood ang mga nagsilutangang kahoy na naanod sa kasagsagan ng baha sa Isabela

at Cagayan.

Ito aniya ang resulta ng isinagawang assessment ng DENR kung saan sunod-sunod na bagyo ang tumama sa rehiyon kung kaya lumambot ang lupa na dahilan ng pagguho nito at pagkabunot ng mga puno na kasamang tinangay ng tubig-baha.

Nauna na rin na nagbigay ng direktiba si Abawag sa mga Provincial and Community Environment and Natural Resources Officers na paigtingin pa ang kampanya para sa pangangalaga ng kagubatan at pagpapatupad ng batas laban sa ilegal na pagputol ng kahoy sa rehiyon, katuwang ang Philippine Army at Philippine National Police. **(Allan Bergonia)**



TITLE:

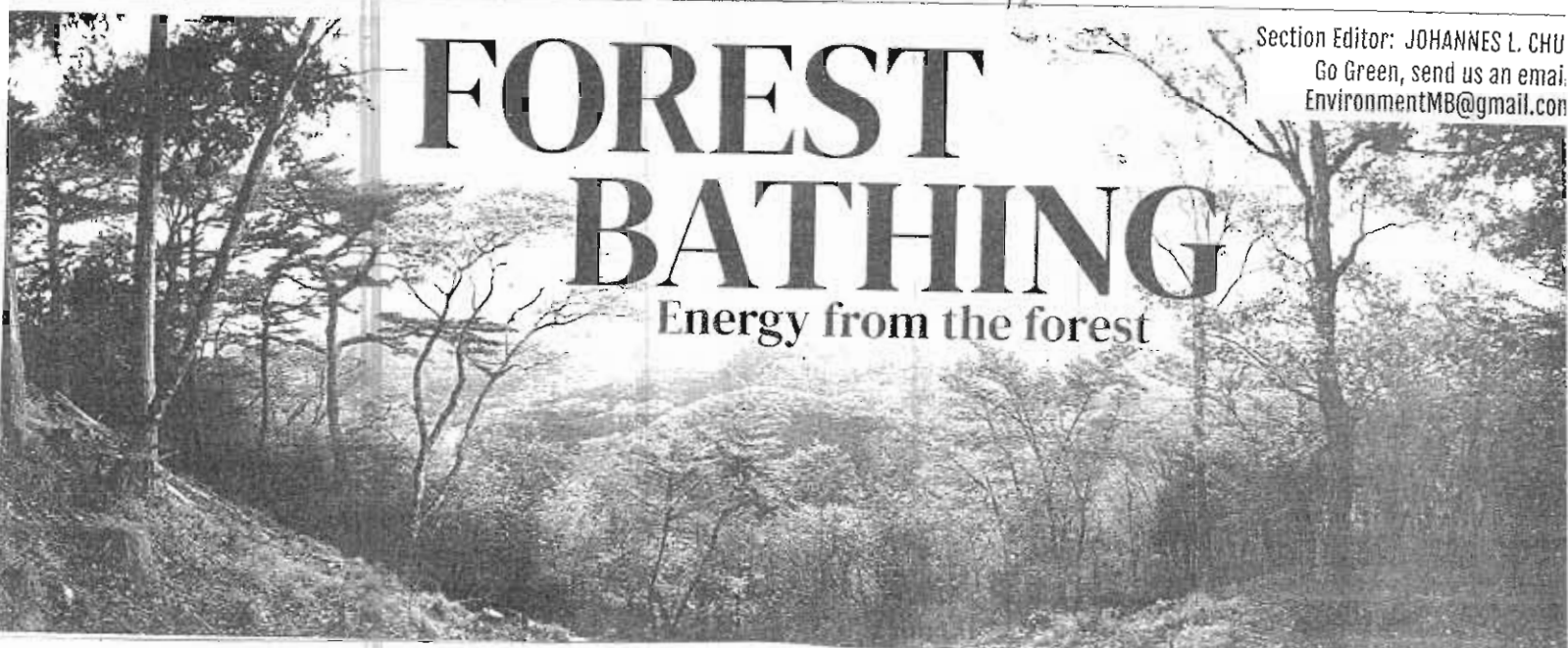
PAGE 1/ 1/2

DATE

Section Editor: JOHANNES L. CHU  
Go Green, send us an email:  
EnvironmentMB@gmail.com

# FOREST BATHING

Energy from the forest



Text and photos  
by PINKY CONCHA COLMENARES

**T**he forest is where I get my energy.

So, I keep going back to the mountains to walk under the canopy of a rainforest, undeterred by my age (I am a senior citizen); or by the time I have to clear just to go outdoors; or by the cost of what is slowly becoming an expedition (friends joining me).

Long before I learned about forest bathing, I took delight in taking a hike in the forests, and later, climbing to the summit – because I would feel energized and in high spirits.

I tell my friends that a long walk – or even a climb – worked like magic to me. Instead of getting into a sour mood because of physical exhaustion, I savored the time to rest while in uncomfortable positions, sitting on a dead tree trunk or a mound of earth. Not even a downpour could trigger my temper.

Early this year, my son and I climbed Mt. Ulap, a trail that meandered through at least five mountains, where the trail led to the summit of each. The exit trail was even more exhausting – a

**'In a study spanning visitors to 24 forests, Japanese research showed that when people strolled through forested areas, their levels of the stress hormone, cortisol, plummeted almost 16 percent more than when they walked in an urban environment.'**

70-degree cliff with rows of steps carved onto the hard earth. We did the whole trail in exactly 12 hours.

I would like to think that being in the forests had "marinated" my body with nature's healing magic. After a short rest and change of clothes, we left Itogon town in Benguet at 8 p.m., reached Baguio City to buy our dinner at 9, and were home in Quezon City by 2 a.m. The next day, I was at work at 2 p.m.

That, to me, is the result of "forest bathing," a Japanese concept known as "shinrin-yoku" which

is described simply as intentionally connecting to nature.

In the book *The Healing Magic of Forest Bathing*, the value of the practice cites a 2009 study on therapeutic effects of forest bathing: "Spending time immersed in nature reduces stress, lowers heart rate, lowers cortisol levels, decreases inflammation, boosts the immune system, improves mood, increases the ability to focus, jump starts creativity, increases energy levels, and makes us more generous and compassionate."

Another research paper said: "In a study spanning visitors to 24 forests, Japanese research showed that when people strolled through forested areas, their levels of the stress hormone, cortisol, plummeted almost 16 percent more than when they walked in an urban environment."

If that is not enough to convince you, here's another finding cited in *Hiking Research*: "The effects were quickly apparent: within minutes of beginning a walk in the woods, the subject's blood pressures showed improvement."

The magic happens when we take a hike in the forest. That is easy to do. Our body is made to walk. A hike is just a long walk, a

little longer than the walks we take around the malls.

When I first climbed Mt. Pulag, my reference point to the 7.5-kilometer distance to the summit (from the ranger station) was that it would only be about three-and-a-half rounds of the UP Diliman campus oblation and sunken garden loop, which is exactly 2.2 kilometers.

Relating the distance of the hike to your long walk on flat land, of course, is not accurate – but it will boost your confidence that you, even as a beginner, can finish the walk.



From left: A forest bathing zone in Camp John Hay Baguio; hiking in one of the mountains of Japan. Above: The author hikes a forest trail in Mt. Toyama, Nikko, Japan.



STRATEGIC  
COMMUNICATION  
INITIATIVES  
SERVICE

THE BIRTHDAY OF PHILIPPINE PRESS  
SINCE 1898  
**MANILA BULLETIN**  
THE NATION'S LEADING NEWSPAPER

B-6  
PAGE

UPPER  
 LOWER

PAGE 1  
STORY

BANNER  
STORY

EDITORIAL

CARTOON

12-12-19

DATE

THE: "FOREST BATHING ENERGY FROM THE FOREST" PAGE 1/ 2/2





LANDMARK REPORT ON CORPORATIONS' LIABILITY

# CHR: OIL FIRMS MAY BE SUED OVER CLIMATE CHANGE WOES

By **Jhesset O. Enano**  
@JhessetEnanoINQ

The Commission on Human Rights (CHR) has said that the world's largest fossil fuel companies may be sued and held legally and morally liable for human rights violations for causing climate change that had devastated entire communities in an internationally unprecedented ruling that brings victims closer to attaining justice.

The findings in the landmark case that followed a four-year investigation by the CHR were disclosed in a resolution made public by Commissioner Roberto Cadiz, who led the inquiry, at a side event of the United Nations climate change conference in Madrid, Spain, on Monday night.

The CHR had acted on a petition filed in September 2015 by 32 civil society groups and private individuals, who requested the rights agency to investigate the responsibility of the so-called "carbon majors" in producing greenhouse gases that cause climate change.

Scientists have blamed climate change and global warming for the strongest typhoons and the heaviest rains that have devastated many parts of the Philippines in recent years.

### Carbon majors

The 47 respondents in the case included coal, cement, gas and oil transnational corporations, such as Shell, Chevron, BP Petroleum, ExxonMobil and Total, the world's largest fossil fuel producers.

CHR probers looked into the corporations' liability in the violations of and threats to

human rights resulting from the climate crisis.

"This is the first time that a constitutionally mandated body anywhere in the world had officially declared that climate change constitutes an emergency situation," Hasminah Paudac, one of the lawyers for the petitioners, said at a press briefing on Tuesday.

Paudac called the resolution a "major victory for climate justice."

She said the commission concluded that people affected by climate change deserved legal remedies.

"The CHR can make recommendations to the government, both executive and legislative branches, to pursue policies on human rights and climate change," Paudac said.

The petitioners have yet to receive a copy of the resolution.

### 'Beacon of hope'

They may opt to pursue civil and criminal action against the companies, with the resolution forming the legal backdrop of their cases. It was unclear where they could file the cases, whether in the Philippines or in the home countries of these corporations or in international tribunals.

Amnesty International said the CHR's resolution created a "beacon of hope" for the victims of the climate crisis.

"Their landmark announcement creates a major legal precedent," said Ashfaq Khalfan, the human rights watchdog's director of law and policy.

"It opens the door for further litigation, and even criminal investigations," he said. "The decision also affirms that

fossil fuel companies have to respect human rights and invest in clean energy."

The CHR held several public hearings in Quezon City, New York City and London. Several survivors of super-typhoons and severe floods testified on how climate change impacts had upended their lives, livelihood and communities.

Scientists and other experts also presented evidence on how man-made climate change had been fueled by the carbon majors, which continued their operations despite knowing its effects on the environment.

The respondents were invited but none sent a representative to any of the hearings, including those held abroad, according to Cadiz.

Several of them, however, sought the dismissal of the petition on grounds that the CHR did not have any jurisdiction over them, Paudac said.

The commission visited several climate-impacted communities in the Philippines as part of its probe.

### Climate justice

Petitioners hailed the long-awaited resolution, which they said could further energize the growing global movement for climate justice.

"We want the world to know that justice must be served to those who have been impacted," said Lea Guerrero, Greenpeace Philippines country director.

"Even if this case was fought in the Philippines, these findings are meaningful, not just for Filipinos, but to all communities fighting for climate justice around the world," she said.



## CHR: OIL FIRMS MAY BE SUED OVER CLIMATE CHANGE WOES

FROM A2

Survivors of Super-typhoon "Yolanda" (international name: Haiyan), who were among the petitioners, welcomed the resolution as a step toward justice.

"While this is not a total closure, it's a form of justice," said artist-activist AG Saño, who survived Yolanda's onslaught in Tacloban City in November 2013, but lost one of his best friends in the disaster.

"This is just the start of the fight, and it can be used as an instrument for bigger battles in the legal arena," he said.

Social worker Marinel Ubaldo, whose town in Eastern Samar province was flattened by Yolanda, said the resolution provided a sense of justice for her community.

Ubaldo was among those who testified during a public hearing in New York City last year. She did not lose any family members or friends to the typhoon but the mental scars from their harrowing ordeal still were lingering.

"This is so important because as an activist and survivor, it gives more meaning to what I am doing and to the fight that I am fighting," Ubaldo said. **INQ**



## CHR: Climate crisis victims can sue firms

In an internationally unprecedented decision, the Commission on Human Rights has said that the world's largest fossil fuel companies may be sued and held legally and morally liable for human rights violations for causing climate change that has devastated entire communities in the country. The landmark resolution followed a four-year investigation and hearings in the Philippines and abroad. —STORY BY JHESSET O. ENANO **A2**



# Climate change tops list of youths' global worries

**MADRID** – Four out of 10 young people view climate change as one of the most important issues facing the world, an Amnesty International survey on the state of human rights showed on Tuesday, as environmental groups said UN climate talks in Madrid were failing to respond to that concern.

The Amnesty poll, released on Human Rights Day, asked more than 10,000 people aged 18-25, in 22 countries across six continents, to pick up to five major issues from a list of 23.

Of those, 41 percent selected climate change, making it the most commonly cited issue globally.

"For young people, the climate crisis is one of the defining challenges of their age," said Kumi Naidoo, Amnesty's outgoing secretary general, noting the huge surge in young people protesting about it on the streets.

"This is a wake-up call to world leaders that they must take far more decisive action to tackle the climate emergency or risk betraying younger generations further," he added.

Among global worries, pollution was ranked second at 36 percent and terrorism third at 31 percent.

At the national level, however, corruption, pollution, economic instability and income inequality came out as the top four concerns, with climate change pushed into fifth place.

"We are living inside a failed system," said Naidoo. "The climate crisis, pollution, corruption and poor living standards are all windows on an alarming truth about how the powerful have exploited their power for selfish and often short-term gain."

When asked who should take the most responsibility for protecting the environment globally, 54 percent of respondents said governments, 28 percent individuals and 14 percent businesses.

And 63 percent agreed governments should take the wellbeing of their citizens more seriously than economic growth.

But Jennifer Morgan, head of Greenpeace International, told journalists that negotiators at the UN climate conference in Madrid were not making the vital link between climate change and human rights.

On Tuesday, meanwhile, a law firm representing 16 children from around the world, including Swedish teen activist Greta Thunberg, sent letters to the governments of Norway and Canada.

Those countries' support for their oil and gas industries breached the children's rights under the UN Convention on the Rights of the Child, the letters said.

"Expanding your oil and gas production will lock in decades of greenhouse gas emissions, jeopardising the universal rights of all children to life, health, and culture," said the letters.

"As children, the petitioners are the ones who will inherit the worst impacts of the climate crisis and bear the future costs of the decisions you make today," they added.

The 16 children, who include 14-year-old US activist Alexandria

Villasenor, in September filed a complaint with the UN Committee on the Rights of the Child against five countries over their carbon emissions.

## Philippine report

The new letters came after the Philippines unveiled on Monday key findings of a four-year inquiry into the human rights impacts of climate change in the Southeast Asian nation and the contribution of 47 "carbon major" companies to those impacts.

The Philippines' Commission on Human Rights, which heard harrowing testimony from typhoon survivors, has concluded the companies played a clear role in causing global warming and its effects.

Based on the evidence, the commission said fossil fuel companies could be found legally and morally liable for human rights violations arising from climate change.

Scientists say burning fossil fuels for industry, energy and transport is responsible for the vast majority of the greenhouse gas emissions heating up the Earth.

– Reuters