



'19 AUG 27 P2:58

**SENATE**  
**S. B. No. 955**

RECEIVED BY: \_\_\_\_\_

Introduced by Senator SONNY ANGARA

**AN ACT**  
**DECLARING PAG-ASA ISLAND CLUSTER IN THE MUNICIPALITY OF**  
**KALAYAAN, PROVINCE OF PALAWAN AS AN ECOTOURISM DESTINATION**  
**AND PROTECTED AREA, PROVIDING FUNDS THEREFOR, AND FOR OTHER**  
**PURPOSES**

EXPLANATORY NOTE

This bill seeks to declare the Pag-asa island and its adjoining islands of Parola, Kota and Panata, collectively referred to as the Pag-asa Island Cluster in the Municipality of Kalayaan, in the province of Palawan which sit well within the territory of the Republic of the Philippines, as a special ecological tourism zone to promote and develop the Pag-asa Island Cluster as a tourist destination for domestic and international tourists while protecting its natural resources and diverse flora and fauna species. In addition, it also seeks to declare the islands of Parola, Kota and Panata as protected area under the National Integrated Protected Areas System (NIPAS).

The Pag-asa island, located 480 kilometers off southwestern Palawan, is the largest that is effectively occupied by the Philippines, and the second largest island in the whole of Kalayaan Island Group (Spratlys) in the West Philippine Sea. It is the only Philippine-occupied island in the Spratlys that is inhabited by civilians. With its impeccable beauty, the island is an ideal tourist destination. However, Kalayaan Mayor Eugenio Bito-onon Jr., who has been leading the far-flung island for six years, still dreams to turn the Pag-asa Island Cluster to a tourist destination and fisheries zone.<sup>1</sup>

The rich biodiversity and truly Filipino heritage of the island truly reflects the beauty of a paradise that our country should be proud of.

<sup>1</sup> Available at: <http://globalnation.inquirer.net/119101/pag-asa-island-come-hell-or-high-water-this-is-ours>

This proposed measure seeks to provide the necessary support to such efforts of the municipal government of Kalayaan by declaring it an ecological tourism area. By this, there shall be created the Pag-asa Island Ecotourism Cluster Governing Board which shall be composed of the Governor of Palawan as Chairperson, the Congressional Representative of the First District of Palawan as Co-Chairperson, the Department of Environment and Natural Resources (DENR) Regional Executive Director for Region IV-B as Vice Chairperson, the Department of Tourism (DOT) Regional Director for Region IV-B as Co-Vice Chairperson, the Mayor of the Municipality of Kalayaan, the Barangay Chairperson of Pag-asa, the commander of the AFP Western Command, a member of a nongovernment organization whose advocacy is environmental preservation, a member of the academe, a representative of the business sector, and a representative of the private sector. This Board shall rationalize all efforts pertaining to environmental protection and making the tourism industry a major source of livelihood and an avenue for the generation of employment.

This proposed measure also mandates the Pag-asa Island Ecotourism Cluster Governing Board in coordination with the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) to prepare an eco-tourism master plan to ensure the promotion of tourism, the generation of employment and most importantly, the protection and preservation of its environment and ecosystem.

This bill also highlights the recent South China Sea Arbitration Award of 12 July 2016 of the Permanent Court of Arbitration (PCA) in The Hague where it declared that the Ayungin Reef (Second Thomas Shoal), one of the islets of the Municipality of Kalayaan, is located within 200 nautical miles of the Philippines' coast on the island of Palawan. Thus, the PCA added that "between the Philippines and China, xxx Second Thomas Shoal form part of the exclusive economic zone and continental shelf of the Philippines." Moreover, Supreme Court Senior Associate Justice Antonio Carpio, a member of the legal team that prepared the Philippines' case before the PCA, believes that the *"the government should push for a peace agreement with China and other claimants in the Spratlys [where Kalayaan group of islands belong] by declaring the area as an international marine park and protected area, as originally suggested by American marine Biology professor John McManus."*<sup>2</sup>

In view of the foregoing, immediate passage of this bill is earnestly requested.



**SONNY ANGARA**

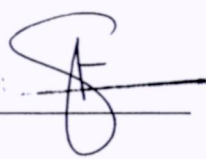
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<sup>2</sup> Available at: <http://www.philstar.com/headlines/2016/07/18/1604013/spratlys-pushed-marine-park>



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*Be it enacted by the Senate and House of Representative of the Philippines in Congress assembled:*

1       Section 1. *Declaration of Policy.* – It is hereby declared the policy of the State  
2 to promote a sustainable ecotourism industry to attract local and foreign tourists to  
3 secure the country’s share in the world tourism market and to make it an avenue for  
4 generation of employment while ensuring the environmental protection and  
5 preservation of the area.

6       Sec. 2. *The Pag-asa Island Ecotourism Cluster and Protected Area.* – The Pag-  
7 asa island and its adjoining islands of Parola, Kota and Panata are hereby declared an  
8 ecotourism destination and the islands of Parola, Kota and Panata are hereby declared  
9 as protected areas under the National Integrated Protected Areas System (NIPAS).  
10 The Department of Environment and Natural Resources (DENR) shall within ninety  
11 (90) days after the approval of this Act, make inventory of the existing flora and fauna  
12 in Pag-asa Island Cluster that shall serve as the basis for the creation of the master  
13 plan as provided in this Act.

14       For the purpose of this Act, ecotourism shall refer to a form of sustainable  
15 tourism within a natural and cultural heritage area where community participation,  
16 protection and management of natural resources, culture and indigenous knowledge

1 and practices, environmental education and ethics as well as economic benefits are  
2 fostered and pursued for the enrichment of host communities and satisfaction of  
3 visitors.

4       *Sec. 3. Pag-asa Island Ecotourism Cluster Governing Board.* – For the purpose  
5 of Section 2 of this Act, an ecotourism governing board, to be known as the Pag-asa  
6 Island Ecotourism Cluster Governing Board, is hereby created. The Board shall be  
7 composed of the following:

- 8       a) Governor of Palawan as Chairperson;
- 9       b) Congressional Representative of the First District of Palawan as Co-  
10       Chairperson;
- 11       c) DENR Regional Executive Director for Region IV-B as Vice Chairperson;
- 12       d) Department of Tourism (DOT) Regional Director for Region IV-B as Co-Vice  
13       Chairperson;
- 14       e) Mayor of the Municipality of Kalayaan;
- 15       f) Barangay Chairperson of Pag-asa Island;
- 16       g) Armed Forces of the Philippines (AFP) Western Command Commander;
- 17       h) One (1) member of a nongovernment organization whose advocacy is  
18       environmental preservation;
- 19       i) One (1) member of the academe;
- 20       j) One (1) representative of the business sector; and
- 21       k) One (1) representative of the private sector.

22       The governing board shall prepare the rules and regulations necessary for the  
23 full implementation by the concerned local government unit of the provisions of this  
24 Act and shall, as the need arises, amend, modify or revise such rules and regulations  
25 to meet the needs of changing times.

26       *Sec. 4. Pag-asa Island Cluster Ecotourism Master Plan.* – The Pag-asa Island  
27 Ecotourism Cluster Governing Board, in coordination with the Tourism Infrastructure  
28 and Enterprise Zone Authority (TIEZA), shall within one hundred twenty (120) days  
29 from approval of this Act, prepare, develop and implement the Ecotourism Master Plan  
30 to be approved by the President of the Republic of the Philippines.

31       *Sec. 5. Appropriations.* – The Secretary of the DOT shall include in the  
32 Department's program the implementation of this Act, and the amount necessary to

1 carry out the provisions of this Act shall be taken from the current appropriation of  
2 the Department and shall be included in the General Appropriations Act of the year  
3 following its enactment into law and thereafter.

4       Sec. 6. *Separability Clause.* – If any portion or provision of this Act is  
5 subsequently declared invalid or unconstitutional, other provisions hereof which are  
6 not affected thereby shall remain in full force and effect.

7       Sec. 7. *Repealing Clause.* – All other laws, acts, presidential decrees, executive  
8 orders, presidential proclamations, issuances, rules and regulations, or parts thereof  
9 which are contrary to or inconsistent with any of the provisions of this Act are hereby  
10 repealed, amended, or modified accordingly.

11       Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
12 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,