

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 848



Introduced by **Representative JOEY SARTE SALCEDA**

A RESOLUTION

DIRECTING THE COMMITTEE ON NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE CAUSE OF THE ORIENTAL MINDORO OIL SPILL AND THE URGENT CONTAINMENT AND REMOVAL MEASURES ALREADY BEING CONDUCTED AND YET TO BE CONDUCTED TO PREVENT FURTHER DAMAGE TO THE RICH NATURAL RESOURCES OF THE VERDE ISLAND PASSAGE

WHEREAS, Section 16, Article 2 of the 1987 Constitution of the Philippines states that "The State shall protect and promote the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

WHEREAS, Section 2 of Republic Act No. 9483 or the Oil Pollution Compensation Act of 2007 declares as state policy that "[t]he State, in the protection of its marine wealth in its archipelagic waters, territorial sea and exclusive economic zone, adopts internationally accepted measures which impose strict liability for Oil Pollution Damage and ensure prompt and adequate compensation for persons who suffer such damage."

WHEREAS, Section 6 of Republic Act No. 9483 states that it is the owner of the ship at the time of the incident that shall be liable for the pollution damage caused by the ship.

WHEREAS, Section 2 of Republic Act No. 9275, otherwise known as the Philippine Clean Water Act of 2004, declares as state policy that "[t]he State shall pursue a policy of economic growth in a manner consistent with the protection, preservation and revival of the quality of our fresh, brackish, and marine waters."

WHEREAS, Section 28 of the Philippine Clean Water Act of 2004 states that any vessel from which oil or other harmful substances are discharged in violation of Section 4 of Presidential Decree No. 979, otherwise known as Marine Pollution Decree of 1976, shall be liable for penalty of fine of not less than five hundred thousand pesos (P500,000.00) but not

more than three million pesos (P3,000,000.00) per day for each day of violation or imprisonment of not less than six (6) years but not more than ten (10) years, or both, at the discretion of the court. Additionally, the owner or operator of a vessel or facility which discharged the oil or other harmful substances will be liable to pay for any clean-up costs.

WHEREAS, on 28 February 2023, oil tanker MT Princess Empress, owned by RDC Reield Marine Services Inc., capsized off the coast of Naujan, Oriental Mindoro. The oil tanker carries 800,000 liters of industrial oil en route to Iloilo from Bataan. On 01 March 2023, the oil tanker fully sank, and the Philippine Coast Guard (PCG) and the Department of Environment and Natural Resources (DENR) confirmed that in addition to a diesel oil spill spanning 6 km long and 4 km wide, the presence of a much thicker and darker oil spill at about 7.4 nautical miles southwest off Balingawan Point, Naujan, Oriental Mindoro was spotted.¹ Dr. Irene Rodriguez of the UP Marine Sciences Institute stated that the oil spill might be worse than the 2006 Guimaras oil spill.²

WHEREAS, according to UP Marine Science Institute, 36,000 hectares of mangroves, coral reefs, and seagrasses face impending destruction should the sunken ship be not removed from the waters. It is feared that within a week's time, the oil spill will reach the Cuyo Islands in Northern Palawan.³ Oil spill causes fish kill, decay of marine ecosystems such as mangroves and corals, and poisoning of sea birds. Vapors from the fuel oil causes health implications to humans too, as of 08 March 2023, claims by residents of dizziness and nausea has been reported in Pola, Oriental Mindoro.⁴

WHEREAS, as of 08 March 2023, it was reported that the oil spill has reached Palawan and UP Marine Sciences Institute's Dr. Rodriguez stated that it will continue to spread northeast due to the prevailing wind condition brought by northeast monsoon or locally known as amihan.⁵

WHEREAS, the affected areas of the oil spill is within the Verde Island Passage Marine Corridor (VIPMC), the VIPMC covers an area of 1.4 Million hectares, covering the coasts of Batangas, Marinduque, Oriental Mindoro, Occidental Mindoro, and Romblon, with over 2 Million people living within the VIPMC depending on its resources for food and livelihood.⁶

¹ Philippine News Agency, "*Oil spill recovery begins after tanker sinks off Oriental Mindoro*" accessed at <https://www.pna.gov.ph/articles/1196390>.

² The Manila Times, "*Oil spill could trigger fish shortage - expert*", accessed at <https://www.manilatimes.net/2023/03/08/news/national/oil-spill-could-trigger-fish-shortage-expert/1881663>

³ The Manila Times, "*Mindoro oil spill to reach Palawan*", accessed at <https://www.manilatimes.net/2023/03/07/news/regions/mindoro-oil-spill-to-reach-palawan/1881550>.

⁴ BBC, "*Philippines oil spill: Residents report nausea and dizziness in affected villages*", accessed at <https://www.bbc.com/news/world-asia-64871285>.

⁵ *Ibid*.

⁶ Department of Environment and Natural Resources (2009), "*The Verde Framework*", accessed at https://bmb.gov.ph/bmb/Action_Plan/VIP_Framework%2013sept.pdf

WHEREAS, Dr. Kent Carpenter and Dr. Victor Springer published a scientific study in which they coined the Verde Island Passage as the “Center of the Center” of Marine Shore Fish Biodiversity.⁷

WHEREAS, the study found that the South China Sea and Pacific Ocean waters also converge and probably exchange properties within Verde Island Passage bringing nutrients that sustain the more than 300 species of corals that host nearly 60% of the world’s known shorefish species.⁸

WHEREAS, several House Bills passed to protect the Verde Island Passage, which have not been enacted into law, such as HB No. 00916⁹, HB No. 02729¹⁰, and HB No. 06089¹¹.

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the House of Representatives of the Philippines, to direct the Committee on Ecology to conduct an inquiry, in aid of legislation, into the cause of the oil spill that started off the coast of Naujan, Oriental Mindoro and the urgent containment and removal measures already being conducted and yet to be conducted to prevent further damage to the rich natural resources of the Verde Island Passage.

Adopted,



JOEY SARTE SALCEDA

⁷ Carpenter, et al. (2005), *The Center of the Center of Marine Shore Fish Biodiversity: the Philippine Islands*, Environmental Biology of Fishes (2005): 72: 467-480.

⁸ *Id.*

⁹ An Act Declaring the Verde Island Passage Marine Corridor as a Maritime Protected Area and Ecotourism Zone, Creating For The Purposes the Verde Island Passage Management Board, Defining its Powers and Functions, Providing Funds Therefor, And For Other Purposes.

¹⁰ An Act Declaring the Verde Island Passage as Marine Protected Area and an Eco-Tourism Zone.

¹¹ An Act Declaring the Verde Island Passage in The Provinces of Batangas, Marinduque, Occidental Mindoro, Oriental Mindoro, and Romblon, as an Ecotourism Zone, Appropriating Funds Therefor, And for Other Purposes.