

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

HOUSE BILL NO. **4308**



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

Edward Abbey, a famous writer and essayist noted for his advocacy of environmental issues, once said, "We need wilderness because we are wild animals. Every man needs a place where he can go to go crazy in peace ... It is not enough to understand the natural world; the point is to defend and preserve it ... We need the possibility of escape as surely as we need hope: without it the life of the cities would drive all men into crime or drugs or psychoanalysis."

Inspired by these lines and being aware of the perils of exploitation of our environment and natural resources as well as some of the adverse impact of industrialization and modernization on the planet that we live in, this representation believes that there is a need to protect those who devote their time and risk their lives in protecting nature in all its forms. This proposed measure seeks to promote environmental activism by fostering best practices in environmental management and awareness campaign while protecting environmental activists or eco-warriors from threat to their lives as they work towards the protection of environment through different activities that create awareness.

The mission that many environmental activists undertake to pursue is arduous and dangerous. As they commit to protect the environment by raising awareness about the urgency and necessity to conserve and preserve the environment, they are putting bullets to their heads because many of these individuals and corporations violating

environmental laws are moneyed and influential. In order to strike a balance between economic growth and the negative impact on the environment, environmental activism should be promoted by the State through the enactment into law of this proposed legislation.

Indeed, our country, being a developing country, is faced with the challenge of striking the right balance between ensuring maximum growth and inflicting minimum impact on the environment such as controlling pollution, combating climate change, conservation of its biodiversity and sustainable development. As earlier stated, the adverse impact of industrialization on our planet is imminent. As such, it is about time that we do our share by protecting those fighting against unchecked exploitation of our environment and have taken positive actions towards the conservation and protection of the flora and fauna of the country, and rewarding those corporation who ensure sustainable development using clean technologies. We need to protect the Erin Brockovich among us.

Hence, the passage of this proposal is highly recommended.


FLORIDA P. ROBES

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AN ACT PROTECTING AND PROMOTING THE RIGHTS OF ECO-WARRIORS AND FOR OTHER PURPOSES

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

SECTION 1. Title. This Act shall be known as "Eco-Warriors Act".

SEC. 2. Declaration of State Policy. It is hereby a declared policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. The State is also duty-bound to generate greater awareness and environmental consciousness amongst the citizens and to ensure that environmental activists or eco-warriors, whether individuals, group or organization, are afforded legal safeguards as they bring forth environmental issues and challenges to the fold of society without discrimination or fear for their lives.

In striving to balance environmental protection and economic development, the State must safeguard existing environmental laws from proposed amendments that will only exacerbate environmental problems, genuinely enforce our progressive environmental policies by intensifying sanctions and increasing penalties for violators, and craft environmental regulations based on scientific reality, not political patronage.

SEC. 3. Policy Objective – The main objective of this Act is to promote environmental activism, to encourage people to become "eco-warriors" or environmentalists, to generate greater awareness and environmental consciousness

amongst the citizens in order to inspire and engage them to move towards a sustainable future. In addition, this Act envisions to mainstream a right-based approach into environmental protection in communities by drawing synergies of awareness on climate change, mitigation and carbon emissions based on the promotion of social justice and sustainable development.

Sec. 4. Definition of Terms. - As used in this Act, the following terms shall mean:

- (a) Eco-warrior- refers to individuals who are committed to work towards the protection of environment by creating awareness about the need to conserve the environment and participating in environmental protection activities;
- (b) Environmental Activism – refers to the advocacy for or work toward the natural environment from destruction or pollution.
- (c) Environmentalism – refers to concerns for environmental protection and improvement of the health of the environment and advocacy on lawful preservation, restoration and/or improvement of the natural environment.
- (d) Environmental Justice – is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
- (e) Environmental Organization - is an organization coming out of the conservation or environmental movements that seek to protect, analyze or monitor the environment against misuse or degradation from human forces.

Sec.5. The Rights of Eco-Warriors and Environmental Organizations–
As duty bearers of the environment, eco-warriors and environmental organizations shall be accorded the following rights:

- (a) Right to fight for environmental justice with safeguard and protection of the law;
- (b) Right to educate, advocate and empower communities at the local and national level;
- (c) Right to access to information on environmental matters;
- (d) Right to help establish accountability mechanisms to hold perpetrators accountable for ecocide;
- (e) Right to empower the community by helping create environmental committees in the grassroots to hold both state and non-state actors to account using the local and regional mechanisms available;
- (f) Right to lobby for the enforcement of environmental laws and the passage of more stringent laws to protect the environment and allow for accountability;
- (g) Right to participate in information dissemination and environmental campaigns;
- (h) Right to participate in policy formulations regarding the environment; and
- (i) Such other rights that may be necessary in protecting the environment.

Sec. 6. Teaching of Environmental Awareness - The Department of Education and the Commission on Higher and Technical Education shall include or integrate in the curriculum of both basic and tertiary education a subject on environmental protection to instill among students and young people the love for the environment. This is to further encourage the youth to be active in reporting environmental abuses or violations relevant to them via social media and other mediums.

Sec. 7. Recognition of Eco-Warriors and Environmental Organization.- The Department of Environment and Natural Resources (DENR), in coordination with concerned stakeholders and entities, shall recognize outstanding individuals, environmental leaders, and organizations that have exemplified inspiration, vision, innovation, leadership and action for the environment.

Sec. 8. Participatory Governance and Citizen Engagement. – Citizens shall participate in a society's decision-making processes, being a fundamental human right, in order to help deepen their awareness on environmental issues by promoting initiatives on environment equity and social justice through citizen reporting and regular public consultations to provide transparency and opportunities for them to be consulted in the policymaking process in relation to the environment.

Sec. 9. Legal Protection. – In order to provide legal protection and safeguard to eco-warriors and environmental organizations and encourage citizen engagement, an Eco-Warrior Legal Defense Fund shall be instituted, through DENR, to support and assist individuals and organizations who are taking extraordinary action to defend the environment from degradation and annihilation. Such fund shall also serve as a safety net for communities protecting the eco-system and an incentive for putting their lives at risk in defending their environmental habitat.

In addition to legal remedies accorded to individuals or organization in the exercise of their constitutional right to a healthy environment as provided by all existing environmental laws, the Rules of Procedure for Environmental Cases duly promulgated by the Supreme Court shall be strengthened and other remedies to be determined by the Department of Justice shall be made available to eco-warriors and environmental organizations whose lives are threatened due to their environmental advocacies.

Sec. 10. Non- Discrimination. Eco-warriors shall not be discriminated against on the grounds of their beliefs on climate change and the environment or those who espouse environmentalism.

Sec. 11. Implementing Rules and Regulations. The Department of Environment and Natural Resources, in coordination with the Department of Justice, Department of Education and Commission on Higher Education as well as public and

private organizations working for environmental protection, shall formulate and issue the implementing rules and regulations ninety (90) days after the effectivity of this Act.

SEC. 12. Separability Clause. — If any provision of this Act is found to be unconstitutional, the remainder of this Act shall remain valid and subsisting.

SEC. 13. Repealing Clause. - All laws, decrees, executive orders, and rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 14. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,