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TECHNICAL WORKING GROUP MEETING ON HOUSE MEASURES

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/ DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Ecology (Technical Working Group)	Substitute Bill to HBs 409, 739, 1865, 2268, 4204 & 6739	Reps. Romualdo, Biazon, Deputy Speaker Rodriguez, Reps. Fortun, Vargas, and Cabochan	Preventing and controlling pollution from ships, providing penalties thereof	<p>The technical working group (TWG) chaired by Rep. Francisco "Kiko" Benitez (3rd District, Negros Occidental), will deliberate further on the substitute bill in its next meeting.</p> <p>Rep. Benitez underscored the importance of the proposed law in showing the country's firm commitment to conserve, preserve, and protect its marine resources and its marine ecosystem as well. He said that the Philippines is part of the coral triangle, one of the most diverse marine habitat in the world, hence, it is necessary for the country to "prevent any damage to our maritime wealth and heritage and safeguard it for future generations."</p> <p>Rep. Benitez said that it is crucial to ensure the strict enforcement of regulations under the 1973 International Convention for the Prevention of Pollution from Ships (MARPOL), to which the Philippines is a signatory. The substitute bill, once enacted, shall serve as an enabling law of the MARPOL – the main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes.</p> <p>In today's meeting, the resource persons gave their comments and inputs on the substitute bill. They were also divided on whether or not the proposed law should be strictly aligned with the MARPOL.</p> <p>Department of Environment and Natural Resources-Environmental Management Bureau (DENR-EMB) project evaluation officer Jepp Farrales said that the DENR-EMB recommends going beyond what are specified in the MARPOL, suggesting that stricter regulations should be enforced with regard to dumping garbage in the sea. In particular, he suggested that only fresh fish and parts thereof should be discharged in Philippine waters.</p> <p>Section 17 (Exemptions applicable to the Discharge of Garbage) of the substitute bill, provides that food wastes, animal carcasses, and cargo residues, in certain conditions, shall be exempted from the prohibition on dumping garbage in waters. These exemptions were adopted from the MARPOL Annex V.</p> <p>Likewise, Mother Earth Foundation (MEF) Chairperson Sonia Mendoza is of the opinion that the country should not strictly adhere to the exemptions stated in the MARPOL. (MEF is a non-stock, non-profit non-government organization actively engaged in addressing waste and toxic</p>

<p>Continuation... Ecology (Technical Working Group)</p>				<p>pollution, climate change, and other environmental issues.)</p> <p>On the other hand, Philippine Petroleum Sea Transport Association and Philippine Alliance (PHILPESTA) for Recycling and Material Sustainability prefer that the proposed law be aligned with the MARPOL.</p> <p>The PHILPESTA representative, Atty. Peter Aguilar, opined that stricter provisions in the proposed law will dilute the provisions of MARPOL, which he said, is a product of discussions among parties based on years of experience and operation of ships all over the world.</p> <p>San Miguel Corporation Shipping and Lighterage Corporation representative, Herminio Estaniel Jr., posited that the MARPOL provides the minimum standards for prevention of water pollution and building on those standards is up to the TWG to decide. He, however, posited that if the proposed law sets the bar too high, even the local stakeholders might have difficulty complying with the same.</p> <p>University of the Philippines College of Engineering Professor Bryan Alamani suggested that there should be provisions in the substitute bill allowing flexibility to recalibrate the standards that are applicable in the Philippine context.</p> <p>Rep. Benitez said that the matter will be decided on during the mother Committee meeting.</p> <p>On other concerns, Aguilar expressed his objection to the creation of the Marine Environmental Management Fund (MEMF) under Section 51 of the substitute bill. He said that Republic Act 9483, or The Oil Pollution Compensation Act of 2007, already created the Oil Pollution Management Fund (OPMF) to which owners and operators of tankers are mandated to contribute. He also finds it unfair that under the proposed law, shipping lines will contribute much to the MEMF and such fund will be used for the containment, removal and clean-up operations of all marine pollution cases under the MARPOL, and not just oil pollution cases. He said that under RA 9483, the OPMF is used only for the immediate containment, removal and clean-up operations of the Philippine Coast Guard in all oil pollution cases.</p> <p>Nonetheless, all the resource persons present were supportive of the intent of the bill, which to them is already long overdue. They were requested to submit to the Committee their respective position papers on the substitute bill.</p>
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