



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH (18<sup>th</sup>) CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5603**

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Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

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#### **EXPLANATORY NOTE**

According to Section 16, Article II of the 1987 Constitution, “The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.” Further, Section 2, Article XII states that, “All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State.” This bill ensures that these provisions in the Constitution are effectively enforced by the State by giving nature a legal entity. This bill ultimately ensures that the recognition of intergenerational responsibility and intergenerational justice are fully articulated into law.

According to the Department of Science and Technology, human activities have resulted to observed increase in greenhouse gas emissions. The effects are felt gradually across the globe but have become increasingly destructive. For instance, there have been extreme trends in daily events such as temperature and rainfall in the Asia Pacific region. From the period of 1951 to 2010, there has been temperature anomalies observed indicating an increase of 0.648 degree Celsius. Further, according to the Global Peace Index 2019, the Philippines is the most susceptible country to climate hazards such as earthquakes, tsunamis, floods, tropical cyclones and drought.

Unless the State takes urgent action to protect its natural ecosystem, environmental degradation will continue to threaten the well-being and safety of future generations. Nature has borne the brunt of this systematic abuse for a long time, without any legal standing to contest it. Recently however, more and more countries, including several Latin American countries, are recognizing that nature has certain inalienable and inherent rights in and of itself. By giving legal entity to nature, this bill urges all individual or collective member of the State to promote harmony with Nature in all areas of its relationship with other human communities and the rest of nature in ecosystems.

In view of the foregoing, the immediate passage of this measure is earnestly sought.



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**AN ACT TO PROMOTE THE RIGHTS OF NATURE IN THE PHILIPPINES**

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

1           **Section 1. Short Title.** This Act shall be known as the “*Rights of Nature Act.*”

2           **Sec. 2. Declaration of Policy.** It is hereby declared the policy of the State to recognize  
 3 and protect natural ecosystems and processes, or distinct and identifiable portions thereof, as  
 4 legal entities possessing certain fundamental and inalienable rights. The State shall provide  
 5 simple, effective and expeditious mechanisms for the protection and enforcement of these  
 6 rights. Such rights shall be founded on the following:

- 7           a. Interconnectedness of all creation bound by a common living source and all  
 8 activities in the ecosystem—land, air, water, and sea live and function according to  
 9 their respective roles to create and sustain the web life shall at all times be respected.
- 10          b. Harmony. All human activities, within the framework of plurality and diversity,  
 11 should achieve a dynamic balance with the cycles and processes inherent in Nature.
- 12          c. Collective good. The interests of society shall be fulfilled consistent with the rights  
 13 of Nature and shall involve all human activities.
- 14          d. Guarantee of the regeneration of Nature. The State, at its various levels, and society,  
 15 in harmony with the common interest, must ensure the necessary conditions in order



- 1 that Nature may regenerate, recognizing that ecosystems are limited in their ability  
2 to regenerate, and that humans are limited in their ability to undo their actions.
- 3 e. Multiculturalism. The exercise of the rights of Nature requires the recognition,  
4 recovery, respect, protection, and dialogue of the diversity of feelings, values,  
5 knowledge, skills, practices, skills, transcendence, transformation, science,  
6 technology and standards, of all the cultures of the world who seek to live in  
7 harmony with nature.
- 8 f. Co-existence of Human Rights and Rights of Nature. All rights guaranteed under  
9 the Constitution and international human rights treaties and laws, shall be exercised  
10 in harmony and consistent with the Rights of Nature.
- 11 g. Promotion of ecologically-sound innovation. The promotion of ecologically  
12 sound-innovation shall be in line with the rights of Nature and shall be actively  
13 pursued by the State.

14 **Sec. 4. *Definition of Terms.*** As used in this Act, the following terms are defined as  
15 follows:

- 16 a. *Nature* refers to the physical world, which encompasses all the biotic and abiotic  
17 components and their interactions. It also refers to the meanings in which different  
18 groups attribute to the physical environment to make sense of the world.
- 19 b. *Natural Ecosystems* refer to the complex and dynamic communities of plants,  
20 animals, microorganisms and other beings and their environment, both living and  
21 non-living, where human communities and the rest of nature interact as a functional  
22 unit under the influence of climatic, physiographic, and geological factors, as well  
23 as production practices, Filipino cultural diversity, and the worldviews of nations  
24 and indigenous peoples/indigenous cultural communities.
- 25 c. *Ecological renewal and restoration* refers to the process that will enable the  
26 recovery of an ecosystem previously damaged by natural or anthropogenic causes.
- 27 d. *Ecological debt* refers to what a country incurs when their ecological footprint  
28 exceeds their biocapacity. This means that the countries make use of resources of  
29 other countries to fulfill their consumption needs.

30 **Sec. 3. *The Fundamental Rights of Nature.*** Natural ecosystems shall have the right to  
31 exist; to the maintenance of the vital cycles, functions and processes that ensure their continued  
32 sustainability and well-being; to the conditions necessary for their ecological renewal and  
33 restoration; and to adequate and effective representation vis-à-vis the protection and

1 enforcement of these rights. These rights shall be in addition to, and shall not impair or limit,  
2 any other right or remedy available under existing law, administrative regulations or  
3 jurisprudence. A violation of any existing environmental law or regulation shall be deemed a  
4 prima facie violation of these rights.

5 The State likewise recognizes that there are limits on the ability of natural ecosystems  
6 and processes to regenerate as well as on the ability of humanity to undo and reverse any  
7 damage it has caused to the environment. Thus, all development that affects or modifies natural  
8 ecosystems and processes must be sustainable, ensure the maintenance of critical ecosystem  
9 services, and respect intra- and intergenerational equity.

10 **Sec. 5. *Legal Personality of Natural Ecosystems and Processes.*** The legal personality  
11 of natural ecosystems and processes, including all of their living and non-living elements, as  
12 well as any distinct and identifiable portions, aggregations or components thereof, shall be  
13 recognized under law. In any action for the protection or enforcement of the rights recognized  
14 herein, the natural ecosystem or process involved shall be considered the real party-in-interest.

15 **Sec. 4. *Obligations of the Government.*** The Government shall take all necessary actions  
16 to protect and enforce the rights recognized by this law including, but not limited to, the  
17 following:

- 18 a. Develop and implement policies and regulations for prevention, early warning,  
19 protection, and precaution to prevent human activity from causing the extinction of  
20 living populations, the alteration of the cycles and processes that ensure life, and  
21 the destruction of livelihoods and cultural systems that are intertwined with natural  
22 ecosystems and processes;
- 23 b. Promote balanced forms of production and patterns of consumption that, while  
24 satisfying the needs of the Filipino people, safe-guard the regenerative capacity and  
25 integrity of natural ecosystems and processes;
- 26 c. Protect natural ecosystems and processes from the exploitation of its components,  
27 the commodification of living systems or the processes that support them, and the  
28 structural causes and effects of global climate change;
- 29 d. Ensure long-term energy sovereignty, increased efficiency and the gradual  
30 incorporation of clean and renewable alternative sources into the energy matrix;



- 1 e. Demand international recognition of ecological debt through the financing and  
2 transfer of clean technology compatible with the rights recognized in this Act;  
3 f. Promote peace and the elimination of all weapons of mass destruction; and  
4 g. Promote the recognition of the rights of natural ecosystems and processes in  
5 multilateral, regional and bilateral international relations.

6 **Sec. 5. *Obligations of Juridical Persons.*** All juridical persons shall take all necessary  
7 actions to protect and enforce the rights recognized by this law including, but not limited to,  
8 the following:

- 9 a. Embed the Right of Nature policy in their by-laws and organizational processes upon  
10 submission of their application for registration to the Securities and Exchange  
11 Commission (SEC);  
12 b. Undertake a regular reporting to the Department of Environment and Natural Resources  
13 (DENR) of their impacts on specific ecosystem where they are conducting their  
14 business operations;  
15 c. Conduct environmental and human rights assessment prior to conducting their  
16 operations or whenever there is major change in their operations such as merger or  
17 closure of business, *Provided*, that, such assessment shall be a prerequisite for the  
18 issuance of the Environmental Compliance Certificate (ECC) by the DENR.

19 **Sec. 6. *Representation and Standing.*** Any Philippine resident may file an action to  
20 enforce the rights or obligations recognized under this Act. Upon the filing of any such action,  
21 the Court shall issue an order which shall contain a brief description of the cause of action and  
22 the reliefs prayed for, requiring all interested parties to manifest their interest to intervene in  
23 the case within a reasonable amount of time from notice thereof.

24 **Sec. 7. *Reliefs.*** If warranted, the court shall issue a judgment in favor of the natural  
25 process or ecosystem on whose behalf an action for the protection and enforcement of the rights  
26 recognized herein was filed, which shall include measures for its protection, preservation,  
27 ecological renewal and restoration, as well as the payment of attorney's fees, costs of suit and  
28 other litigation expenses. Monetary damages to be awarded shall be the amount necessary to  
29 rectify or repair the damage done to natural ecosystems and processes by the defendant.

30 **Sec. 9. *Trust Fund.*** Any monetary award that may be awarded by any Court in defense  
31 of the rights of Nature shall not accrue to the benefit of the representative but it will be

1 deposited to a Trust Fund, *Provided*, however, that any expenses incurred by the representative  
2 shall constitute a lien to the monetary award.

3 All monetary award shall be deposited in the Trust Fund under the administration of  
4 the Conservation Committee provided for in this Act, which shall be used to implement the  
5 measures for protection, preservation, ecological restoration, or renewal ordered by the court.

6 **Sec. 10. *Appointment of Conservation Committee.*** To administer the trust fund and  
7 implement the measures necessary for protection, preservation, or ecological renewal and  
8 restoration of the natural ecosystem or process on whose behalf an action pursuant to this Act  
9 was filed, the Court shall appoint a conservation committee from the stakeholders concerned.  
10 The Court shall give preference to indigenous cultural communities from the same area,  
11 people's organization, non-governmental organization, or any public interest group accredited  
12 by or registered with any government agency. Under no circumstances shall a person or entity  
13 responsible for a violation of the rights recognized herein be appointed to a conservation  
14 committee.

15 **Sec. 11. *Designation of Courts and Promulgation of Procedural Rules.*** The Supreme  
16 Court shall designate the court or courts that will hear and resolve cases brought under this Act  
17 and shall promulgate the rules of pleading, practice and procedure to govern the proceedings  
18 brought under this Act.

19 **Sec. 12. *Strategic Lawsuits against Public Participation.*** A Strategic Lawsuit against  
20 Public Participation (SLAPP) is any action filed to harass, vex or exert undue pressure against  
21 any person or legal entity that has taken legal action or made a public communication of any  
22 kind in connection with the enforcement or protection of the rights recognized herein or any  
23 other environmental law or regulation. The defendant in a SLAPP may file a special motion to  
24 dismiss at any point of the proceedings alleging that the case is a SLAPP. This special motion  
25 to dismiss shall be resolved within thirty (30) days after it is heard. If the court dismisses the  
26 SLAPP, it shall award damages, attorney's fees and costs of suit. The dismissal shall be with  
27 prejudice.

28 **Sec. 13. *Education.*** The Department of Education and the Commission on Higher  
29 Education shall integrate into the curriculum of all levels the respect for and recognition of the  
30 inherent and inalienable rights of natural ecosystems.



1           **Sec. 14. *Implementing Rules and Regulations.*** The Secretary of Environment and  
2 Natural Resources, in coordination with the Commission on Human Rights, the Department of  
3 Social Welfare and Development, Department of Education, Commission on Higher Education  
4 Department of Agriculture, Department of Agrarian Reform, National Commission on  
5 Indigenous Peoples, Climate Change Commission, and associations or organizations  
6 representing environmental advocates shall issue the Implementing Rules and Regulations  
7 necessary for the effective implementation of this Act within ninety (90) days from the  
8 effectivity thereof.

9           **Sec. 15. *Appropriations.*** The amount necessary for the initial implementation of the  
10 provisions of this Act shall be charged against the current year's appropriations of the  
11 Department of Environment and Natural Resources.

12           **Sec. 16. *Penalties.*** Any person who violates any of the provisions of this Act or its  
13 Implementing Rules and Regulations shall, upon conviction by final judgment, be punished by  
14 imprisonment of not less than six (6) months nor more than two (2) years or a fine of not less  
15 than Five Million pesos (PhP5,000,000), nor more than Ten Million pesos (PhP10,000,000),  
16 or both, at the discretion of the court. If the violation is committed by a juridical person, the  
17 officer responsible therefor shall serve the imprisonment when imposed. If violation is  
18 committed by an alien, he or she shall be immediately deported after service of sentence,  
19 without need of further proceedings.

20           **Sec. 17. *Separability Clause.*** If any provision or part hereof is held invalid or  
21 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
22 valid and subsisting.

23  
24           **Sec. 18. *Repealing Clause.*** Any law, presidential decree or issuance, executive order,  
25 letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the  
26 provisions of this Act are hereby repealed, modified or amended accordingly.

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28           **Sec. 19. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in  
29 the *Official Gazette* or in a newspaper of general circulation.

30           *Approved,*