

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

Second Regular Session

House Bill No. 4957



Introduced by HON. ALBERT S. GARCIA

EXPLANATORY NOTE

This bill seeks to transfer the territorial jurisdiction of the Island of Corregidor from the Province of Cavite to the Province of Bataan.

Geographically, the Island of Corregidor is located at the tip of Bataan peninsula. Shaped like a tadpole with its head turned westward to the China Sea, and the tail curving east towards Manila, Corregidor is a rock formation four (4) miles long and about half (1/2)-a-mile at its widest point, with an area approximately three (3) square miles situated at the entrance to Manila Bay. It lies twenty-six (26) miles from Manila, ten (10) miles from Cavite and about five (5) miles from Bataan. And with the proximity of the island to the peninsula, the summit of Corregidor affords fine views of the rugged coast of Bataan and the surrounding sea.

Historically, Bataan and Corregidor always go together. In 1647, the Dutch, vying with the Spanish for colonial supremacy in the Orient, took Corregidor and used the island as a base for raids on the Bataan coast. Also, it is important to note that during the Spanish and American regimes, Bataan played an important role in the lives of the people in the Island of Corregidor. Water had to be brought by barge from Bataan to Corregidor because there was no source of potable water on the island. (Sources: Philippines Handbook, 1991, by Peter Harper and Evelyn Peplow; and "The Galleon History of Corregidor" by Alfonso J. Aluit)

During the Second World War, the Bataan peninsula and the Island of Corregidor played important historical roles. When Pearl Harbor was quickly destroyed, the Philippines specifically Bataan and Corregidor held on for a longer period of time. This upset the Japanese war timetable which, consequently, changed the course of World War II. In fact, the Province of Bataan and the Island of Corregidor acquired immense significance as the symbols of the

determined resistance of the Filipino and American defenders against the Japanese. Both places echo the memory of war and, at the same time, mirror the faithfulness, heroism and spirit of sacrifice that the Filipino people had shown during World War II.

Moreover, Philippine history discloses that the Bataan Peninsula and the Island of Corregidor are inseparable. The Fall of Bataan on April 9, 1942, led to the surrender of Corregidor on May 6, 1942, and the infamous March of Death ensued. In the words of General Douglas MacArthur: "Bataan has fallen, but the spirit that made it stand – a beacon to all the liberty-loving people of the world – cannot fall." Thus, it is but fitting that when Bataan stands, Corregidor rises, too. Just like the Filipino and Americans soldiers who stood up uncomplaining under the grueling fire of the enemy, the Province of Bataan and the Island of Corregidor should stand together and be remembered worldwide as indispensable to one another.

At present, the City of Cavite claims that the Island of Corregidor forms part of the territorial jurisdiction of the City. The City of Cavite bases its claim over the said island by virtue of Executive Order No. 124, issued on December 03, 1909, by then Governor General Cameron Forbes indicating the annexation of the Island of Corregidor to the Municipality (now City) of Cavite. Following the establishment of the First Philippine Republic, there has been no legislation yet specifically identifying the Island of Corregidor as part of the Province of Cavite nor anything about its territory. Research conducted on this matter reveals that only a Proclamation, issued by the late President Elpidio Quirino (Proclamation 69), was enacted, placing the Island of Corregidor along with other surrounding forts under the direct supervision and control of the Armed Forces of the Philippines and declaring the same as a defense zone.

On May 17, 1948, the Provincial Board of Bataan petitioned the then President of the Republic of the Philippines "to reincorporate Corregidor to and make it part of the Province of Bataan, and to take possession of the same as part of the Municipality of Mariveles." (MINUTES of the regular meeting of the Provincial Board of Bataan held at Balanga on May 17, 1948) Now fifty-six (56) years later, the proponent of this bill deems it necessary to submit the issue through national legislation taking into consideration the historical importance of the subject. This is also to strengthen the provisions in the 1987 Constitution, specifically Article VI, Section 1, to wit: *"The legislative power shall be vested in the Congress of the Philippines, which shall consist of a Senate and a House of Representatives, except to the extent reserved to the people by the provision on initiative and referendum"*.

It is also apt to mention that presently, Corregidor is administered and managed by the Corregidor Foundation, Inc. It is shown by statistics, that most of the workers in Corregidor are natives or residents of Bataan. Out of 163 Personnel, a significant number are residents of Bataan and the rest come from

the different provinces of the country. (Figures supplied by the Corregidor Foundation, Inc.)

It is also noteworthy that under Article 465 of Republic Act No. 386 as amended, otherwise known as the Civil Code of the Philippines, "*x x x If a single island thus formed be more distant from one margin than from the other, the owner of the nearer margin shall be the sole owner thereof.*" Thus, applying the Rule of Proximity mentioned in the aforementioned provision, the Province of Bataan, which is five (5) miles away from the Island of Corregidor, should be the owner of Corregidor, rather than the Province of Cavite, which is ten (10) miles away from Corregidor.

Lastly, it is important to consider that in most tourist guidebooks, the Island of Corregidor is not listed as one of the tourist destinations in the Province of Cavite. Furthermore, in most of schoolchildren's textbooks, the island is listed as a tourist destination separately from the Province of Cavite. The same textbooks do not make mention of any local government unit having territorial jurisdiction over the island. Thus, most Filipinos, including the educated ones, honestly believe that the Island of Corregidor belongs to the Province of Bataan.

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



ALBERT S. GARCIA

Republic of the Philippines
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THIRTEENTH CONGRESS

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House Bill No. 4957

Introduced by the **HON. ALBERT S. GARCIA**

AN ACT
TRANSFERING THE TERRITORIAL JURISDICTION OF THE ISLAND OF
CORREGIDOR FROM THE PROVINCE OF CAVITE TO THE PROVINCE OF
BATAAN

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

Section 1. The Island of Corregidor, measuring an area three (3) square miles, four (4) miles long and about half (1/2) a mile at its widest point and rises 628 feet above sea level, presently under the territorial jurisdiction of the City of Cavite pursuant to Executive Order No. 124 is hereby transferred, ceded and conveyed with all the rights, title and interest within the limits of the Islands to the territorial jurisdiction of the Municipality of Mariveles, Province of Bataan.

Section 2. The existing boundaries of the Province of Bataan together with the acquired jurisdiction in accordance with this Act shall be properly laid out. The Bureau of Land shall conduct a survey to determine the metes and bounds of the Province of Bataan and at the same time plot the present boundaries to include the Island of Corregidor in the Province of Bataan.

Section 3. The Island of Corregidor shall be part of the Municipality of Mariveles, Province of Bataan, upon ratification by the majority of the votes cast by qualified voters in a plebiscite to be conducted in the City of Cavite and in the Province of Bataan within one hundred eighty (180) days from the approval of this Act.

The Commission on Elections (COMELEC) shall conduct and supervise the plebiscite. The expenses for such plebiscite shall be paid out of the

appropriations provided for the COMELEC under the General Appropriations Act (GAA).

Section 4. After the approval of the transfer of territorial jurisdiction of the Island of Corregidor, the Province of Bataan shall still consist of twelve (12) municipalities including the Island of Corregidor which shall form part of the Municipality of Mariveles.

Section 5. The administration and management of the Island shall remain under the Corregidor Foundation Inc. (CFI), a private non-stock and non-profit organization created by the Department of Tourism (DOT) under the Philippine Tourism Authority (PTA).

Section 6. All laws, decrees, rules or regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 7. This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in any national newspaper of general circulation.

Approved,