

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5802



Introduced by **REP. HENEDINA RAZON- ABAD**

EXPLANATORY NOTE

This bill seeks to declare the Province of Batanes as a responsible, community-based, ecotourism zone and shall be accorded priority development by the national government.

Ivatans represent a distinct indigenous community. The story of Batanes, with its unique geographical location, and its people provide experiences and lessons in man and nature co-existing in harmonious and mutually-nurturing relationship in a fragile environment. This includes, though not limited to: the endemism of both flora and fauna and their natural habitat; stone boat-shaped burials, megaliths and *Ijangs* (ancient forts) that provide insights on early community organization and management; and vernacular architecture, which provides lessons on the protection of man from natural elements. The islands served as a natural funnel and pathway of natural elements and cultural influences, foremost among them the Austronesian influence.

The Philippine Constitution, under Section 22 of Article II and Section 17 of Article XIV, provides that the State recognizes, promotes, respects, and protects the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions and shall consider these rights in the formulation of national plans and policies. Through Republic Act No. 9593 or the Tourism Act of 2009, the State is further mandated to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and equitable for local communities.

Pursuant to these provisions, the State shall recognize, preserve and promote the inherent values and characteristics that underlie the uniqueness of the Ivatan culture and the beauty of the islands of Batanes in the development and management of its tourism industry: (1) the integrity of its ecology and environment; (2) the richness of its natural and cultural heritage and; (3) the resilience of its indigenous social institutions.

Both the government and the private sector recognize the potential positive impact of ecotourism in Batanes because of its vast experience in sustaining protected areas while

creating jobs, increasing household incomes and generating revenues for local governments. Since 2014, Batanes is experiencing a dramatic increase in the number of tourists visiting the province. While infrastructure, human capital, and tourism products and programs are being developed, the importance of sustaining the natural and cultural heritage of Batanes remains a key priority in the development of the province. The attendant negative impact of the developing tourism industry on the environment must be mitigated for the benefit of future generations.

In view of the foregoing, the approval of the bill is earnestly sought.


HENEDINA RAZON- ABAD

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HOUSE BILL NO. 5802

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**AN ACT DECLARING THE PROVINCE OF BATANES AS A
RESPONSIBLE, COMMUNITY-BASED, ECOTOURISM ZONE
AND APPROPRIATING FUNDS THEREFOR**

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

1 **Section 1. Title** – This Act shall be known as the “Batanes Responsible Tourism
2 Act.”

3 **Section 2. Declaration of Policy** – The State recognizes, respects, and protects
4 the rights of indigenous cultural communities to preserve and develop their cultures,
5 traditions, and institutions and the State considers these rights in the formulation of
6 national plans and policies. The State is further mandated to promote a tourism
7 industry that is ecologically sustainable, responsible, participative, culturally sensitive,
8 economically viable and equitable for local communities.

9 Towards this end, the Province of Batanes shall be accorded priority
10 development by the Department of Tourism (DOT) as an eco-tourism zone and shall be
11 subject to the rules and regulations governing the development of tourism zones in
12 promoting the following inherent values and characteristics, which underlie the
13 uniqueness of the Ivatan culture and the beauty of the islands of Batanes in the

development and management of the tourism industry in the province: (1) the integrity of its ecology and environment; (2) the richness of its natural and cultural heritage; and (3) the resilience of its indigenous social institutions.

Section 3. Objectives – Pursuant to the above declaration of policy, the State shall endeavor to accomplish the following objectives:

- (1) Develop and promote responsible, community-based, ecological-cultural tourism as the core management strategy in the development and growth of Batanes;
- (2) Ensure the conservation of the bio-diversity and the preservation of the unique heritage and culture of the province;
- (3) Develop tourism products and programs that will generate employment and livelihood for the local residents consistent with the preservation and maintenance of local heritage and culture;
- (4) Guarantee that the financial and economic benefits of the industry are equitably shared by and distributed among the Ivatans and local residents by giving preference to and support for community- and home-based tourism enterprises, i.e. micro and small businesses like local inns, lodges and homestays; restaurants, food and fruit stands, arts and craft shops and similar tourists-oriented industries and businesses;
- (5) Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors with the provision of orientation, educational and tour programs by local tour operators, Non Government Organizations (NGOs), Local Government Units (LGUs) and the DOT;

- (6) Guarantee that in the development and promotion of the local tourism industry, the LGUs shall ensure that the needs of local residents and communities in the areas of water supply, food, energy and local construction materials are first secured and met.

Section 4. *Definition of Terms* – As used in this Act:

- (1) **Responsible Ecotourism** refers to a form of sustainable tourism in which both the tourism sector and tourists take responsibility to protect, respect, and conserve the natural environment and the local culture and ways of life; and where community participation as well as economic benefits are fostered and pursued for the well-being of the local people and satisfaction of visitors;

- (2) **Community-based Tourism** refers to a form of tourism where the local community and its residents have substantial control over and involvement in the development and management of the local tourism industry and a greater proportion of the economic gains remain within the community;

- (3) **Biodiversity conservation** refers to the practice of preserving the variety of species, habitats and ecosystems and genetic diversity of the place, including inter alia, terrestrial, marine and other aquatic ecosystems, and the ecological complexes of which they are a part of;

- (4) **Ivatan natural and cultural heritage** refers to the landscapes, seascapes, historic places, sites and built environments of the province precisely delineated because of their outstanding value from the point of view of science, conservation, natural beauty, as well as biodiversity; and includes past and continuing cultural practices,

knowledge and living experiences of the Ivatans, which are important foundations for the development of present and future generations;

(5) **Indigenous social institutions** refer to a community orientation and cooperation pervasive in the way of life of the Ivatans, who were compelled to depend on each other for common survival because of the province's remoteness and harsh environment. This includes the indigenous cooperative institutions in house construction, boat building and fishing, agricultural cultivation, wake and burial practices, and public infrastructure construction; and

(6) **Homestay** refers to a system of tourist accommodation where a tourist stays with local residents and experience the day-to-day life of Ivatans and their communities.

Section 5. Scope and Coverage – This Act shall cover the same boundaries as provided in Section 3 of Republic Act No. 8991, otherwise known as the "*Batanes Protected Area of 2000*".

Section 6. Provincial Tourism Development Plan – The Department of Tourism, in coordination with the Department of Environment and Natural Resources (DENR) and the National Commission on Indigenous People (NCIP), shall assist the Province of Batanes in the formulation of the Provincial Tourism Development Plan and guidelines and standards for a responsible, community-based ecotourism. The tourism development plan shall ensure the preservation of the natural sites, the cultural and historic significance of the identified tourist attractions, and respect for Ivatan culture and traditions and will include the following components:

(1) Carrying Capacity;

(2) Specific Site Assessments;

- (3) Identification of Strategic Priorities;
- (4) Product Development for Local Wealth Generation;
- (5) Capacity-building for locals in managing economically viable responsible community-based ecotourism business enterprises;
- (6) Support for the formation of local production groups and networks, including marketing and pricing;
- (7) Marketing strategies that reflect the natural, cultural, social and environmental integrity of Batanes.

The process of developing the Tourism Master Plan must be participatory, from the bottom up, with the framework provided by DOT, DENR, and NCIP, in consultation with the Provincial and Municipal Governments.

Section 7. Formulation of Guidelines and Standards - The Protected Area Management Board of the DENR, the NCIP, and the local tourism council, in coordination with the LGUs, shall assist in the formulation of local tourism standards in the context of environmental stability and recommend guidelines to ensure that biodiversity conservation and environmental protection are integrated in the development of heritage and ecotourism plans. The guidelines and standards shall –

- (1) Raise the capacity of all stakeholders and ensure that best practice is followed;
- (2) Ensure optimal use of water and energy;
- (3) Reduce waste and pollution with encouragement given to recycling and environmentally sound waste management disposal schemes, with a principle of taking as much waste away from the site as possible; and

(4) Encourage the use of local produce and services, and to favor the employment of local people.

Section 8. *Coordination with National Agencies* - The DOT shall closely coordinate with the provincial and municipal governments of the Province of Batanes, as well as with the regional and provincial offices of all relevant national government agencies, such as the National Historical Commission, National Museum, Department of Labor and Employment, National Commission for Culture and the Arts, National Commission on Indigenous People, Department of Public Works and Highways, Department of Transportation and Communications, Department of Agriculture, Department of Environment and Natural Resources, Department of Science and Technology, Department of Education, Department of Trade and Industry, Department of Interior and Local Government, Philippine National Police, Department of Education Maritime Industry Authority, and Philippine Ports Authority in the implementation of this Act.

Section 9. *Appropriations* - The Secretary of Tourism, Secretary of the Public Works and Highways, and the Secretary of Environment and Natural Resources, shall immediately include in their respective Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act and/or internally generated funds of the DOT, DPWH, and DENR.

Section 10. *Implementing Rules and Regulations*- The DOT, DENR, NCIP in consultation with the Provincial and Municipal Governments of Batanes, concerned government agencies and stakeholders shall, within sixty (60) days from effectivity of this Act, promulgate the necessary rules and regulations for the proper implementation of this Act.

Section 11. *Separability Clause* – If any provision of this Act is declared invalid, the remainder or any of this provision hereof not affected thereby shall remain in force and effect.

Section 12. *Repealing Clause* - All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Section 13. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,