



Republic of the Philippines
BANGSAMORO TRANSITION AUTHORITY
Bangsamoro Autonomous Region in Muslim Mindanao
Cotabato City
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Resolution No: 122

Author/s:


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A RESOLUTION APPEALING TO ^{the} DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) NATIONAL OFFICE TO REVIEW AND ASSESS THE IMPLEMENTATION OF THE MEMORANDUM CIRCULAR NO. 121-2019 REFLECTING ENVIRONMENTAL CARE AND AWARENESS BY SPARING THE OLD TREES FROM ROAD CLEARING OPERATIONS NATIONWIDE.

Whereas, Section 16, Article II of the 1987 Philippine Constitution provides that "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";

Whereas, the state shall uphold religiously the Latin Maxim "Salus Populi Est Suprema Lex" translated: it means "The Welfare of the People is the Supreme Law", thus, in the preservation of the environment over the clearing operations enshrined under MC 121-2019 the former shall prevail and the latter, subordinate;

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Bangsamoro Autonomous Region in Muslim Mindanao
Bangsamoro Transition Authority Parliament
OFFICE OF THE SECRETARY GENERAL

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By: NORIA Y. TAHA
Signature: 
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Whereas, the President of the Philippines issued MC 121-2019 a memorandum circular dated 29-July-2019 on its Presidential Directive during the 4th state of the nation address to clear roads of illegal structures and constructions;

Whereas, the purpose of which is to “return to public use, all public roads and sidewalks that have been appropriated for the private use and or clear all obstructions thereof”;

Whereas, Memorandum Circular No. 121-2019 was being used by contractors of the Department of Public Works and Highways (DPWH) and some Local Government Unit (LGU) in the country including the areas of the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) to uproot old-trees, demolish waiting sheds that do not obstruct sidewalks and even demolish structure in private areas;

Whereas, Roadside trees are a special class of trees protected by Republic Act No. 3571. Under this Act, protection of trees that grow in the roadsides is afforded, cutting trees is prohibited unless it is for the enhancement of the scenic view of the area where the trees are planted and growing. The offenses committed under this Act are Malum Prohibitum, that is, crimes committed in violation of statutory or regulatory laws. Hence, criminal intent is not an essential element in the offense;

Whereas, one tree produces nearly 260 pounds of oxygen each year. Thus important in the preservation of a healthy and balance ecology;

Whereas, for purpose of this resolution the old trees to be protected shall include but not limited to Mahogany, Acacia, Balete, Narra, Pine, Gemilina, Molave and all other trees of similar and the same classification;

Whereas, cutting of trees may be contrary to the various environmental treaties and international agreements entered into by the government;

Whereas, the tree cutting runs contrary to the efforts of the government to combat global warming and the other environmental concerns. The value of trees to highways



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is beyond valuable. Trees help bring down the temperature of concrete jungles, absorb carbon dioxide while giving off oxygen and alleviate flooding. Trees beautify cities/municipalities and contribute to higher quality of living of the residents;

Whereas, the Philippine Government should provide alternative solutions to traffic congestion and do not involve cutting of old trees rather the government shall protect and preserve the old trees as upheld by the constitution;

NOW THEREFORE, be it resolved, as it hereby resolved, that the Parliament shall endeavor to **APPEAL TO DILG NATIONAL OFFICE TO REVIEW AND ASSESS THE IMPLEMENTATION OF THE MEMORANDUM CIRCULAR NO. 121-2019 REFLECTING ENVIRONMENTAL CARE AND AWARENESS BY SPARING THE OLD TREES FROM ROAD CLEARING OPERATIONS NATIONWIDE.**

RESOLVED FURTHER, to furnish copies of this resolution to the head of Department of Environment and Natural Resources for their information and ready reference.

Adopted, October _____, 2019

Certified Correct:

PROF. RABY B. ANGKAL
Secretary General

Attested by:

ATTY. ALI PANGALIAN BALINDONG
SPEAKER