



HOUSE OF REPRESENTATIVES

H. No. 8204

BY REPRESENTATIVES CHATTO, FLORES, MENDOZA, SANTOS, Co (E.), SOLON, BORDADO, LIMKAICHONG, SALIMBANGON, VELOSO-TUAZON, KHO (R.), MANUEL, YAP (C.T.), QUIMBO, MACAPAGAL-ARROYO, GONZALES (A.), PUMAREN, PALMA, DELOS SANTOS, Co (A.N.), VIOLAGO, NAVA, BAUTISTA-LIM, TY, LACSON, ZAMORA (M.C.), ABANTE, SINGSON (R.V.), CAMPOS, DEL MAR, VARGAS-ALFONSO, LARA, YU (D.G.), CARI, CUARESMA, CABREDO, AQUINO, CUA, ALONTE, DY (F.), MATUGAS, BONGALON, ALVAREZ (J.), ARENAS, LOYOLA, ALVAREZ (M.), FUENTEBELLA, ZUBIRI, UMALI, YAP (ERIC), BERNOS, VERGARA, ADVINCULA, ATAYDE, GARCIA (D.), GARCIA (M.A.), GARDIOLA, PANCHO, BASCUG, PLAZA, TAN (J.), SALI, CRUZ (R.), CRUZ (A.), BALINDONG, EUDELA, PLEYTO, MATIBAG, ANG, REYES, TULFO (J.), LAGON (S.), CARDEMA, VERZOSA, FORTES, MACEDA, COJUANGCO (J.), AMANTE, FRESNEDI, LAZATIN, REVILLA (R.J.), KHONGHUN, PANALIGAN, TALLADO, VARGAS, Go (M.), Co-PILAR, OUANO-DIZON, LAGON (D.), AUMENTADO, YAP (C.), HERNANDEZ, RODRIGUEZ (E.), PADUANO, DAGOOC, GUTIERREZ, ABALOS, COJUANGCO (M.), GATO, MARQUEZ, ROBES, VILLAFUERTE (L.R.), DALIPE, ALBA, BARONDA, BENITEZ, HATAMAN, FERNANDEZ, MANGAOANG, OAMINAL, SACDALAN, TANJUATCO AND VALMAYOR, PER COMMITTEE REPORT No. 553

**AN ACT
PROVIDING THE REGULATORY FRAMEWORK TO CONSERVE, PROTECT,
RESTORE, AND SUSTAINABLY MANAGE PEATLANDS AND THEIR RESOURCES
TO ENHANCE THE COUNTRY’S RESILIENCE TO CLIMATE CHANGE**

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

**CHAPTER I
GENERAL PROVISIONS**

SECTION 1. *Short Title.* – This Act shall be known as the “*National Peatlands
Conservation Act.*”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote the conservation, restoration, and sustainable development of the country’s peatland and peatland resources; enhance the resilience of the Filipino people towards climate change adaptation and mitigation, disaster risk reduction and management (DRRM) consistent with the principles of sustainable and inclusive economic development, poverty reduction, and biodiversity conservation, while advancing the right to a balanced and healthful ecology in harmony and rhythm of nature.

SEC. 3. *Scope and Coverage.* – This Act shall apply to all peatland and peatland resources nationwide within public and private lands.

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

- (a) *Adaptation* refers to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- (b) *Climate change* refers to a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.

- 1 (c) *Carbon sink* refers to carbon reservoirs and conditions that take in and store more
2 carbon than they release.
3
- 4 (d) *Disaster Risk Reduction and Management* refers to the systematic process of
5 using administrative directives, organizations, and operational skills and capacities
6 to implement strategies, policies, and improved coping capacities in order to
7 lessen the adverse impacts of hazards and the possibility of disaster.
8
- 9 (e) *Ecosystem-based approaches* refer to the use of biodiversity and ecosystem
10 functions and services as part of an overall adaptation strategy to help people
11 adapt to the adverse effects of climate change. This term may refer to a wide
12 range of ecosystem management activities to increase the resilience and reduce
13 the vulnerability of people and the environment, including climate change and
14 disasters.
15
- 16 (f) *High conservation value* refers to the biological, ecological, social, or cultural
17 values of outstanding significance at the national, regional, or global level or of
18 critical importance at the local level that need to be appropriately managed and
19 maintained or enhanced.
20
- 21 (g) *Mitigation*, in the context of climate change, refers to human intervention to
22 address anthropogenic emissions by sources and removals by sinks of all
23 greenhouse gas, including ozone-depleting substances and their substitutes.
24
- 25 (h) *Nature-based solutions* refer to actions that can be taken to protect, conserve,
26 restore, sustainably use, and manage natural or modified terrestrial, freshwater,
27 coastal, and marine ecosystems which address social, economic, and
28 environmental challenges effectively and adaptively, while simultaneously
29 providing human well-being ecosystem services, resilience, and biodiversity
30 benefits.
31
- 32 (i) *Peat* refers to dead and partially decomposed plant material that has
33 accumulated under high water saturation or waterlogged conditions. Peat soils
34 are histosols or organic soils with cumulative organic layers comprising more
35 than half of the upper 80 centimeters of the soil surface containing 35% or more
36 organic matter (35% or more loss on ignition) or 18% or more organic carbon.
37
- 38 (j) *Peatlands* refer to wetland ecosystems characterized by the accumulation of peat
39 at the surface and subsurface of the soil. Major characteristics of peatlands are
40 the presence of peat and permanent water logging. Peatlands may have
41 vegetation in the form of trees, shrubs, grasses, and mosses.
42
- 43 (k) *Wetlands* refer to a wide variety of inland habitats such as marshes, peatlands,
44 floodplains, rivers and lake; and coastal areas such as saltmarshes, mangroves,
45 intertidal mudflats and seagrass beds, and also coral reefs and other marine
46 areas no deeper than six (6) meters at low tide; and as well as human-made

wetlands such as dams, reservoirs, rice paddies, and wastewater treatment ponds and lagoons.

- (l) *Wise use* refers to the maintenance of the ecological character of peatlands achieved through the implementation of nature-based solutions and ecosystem-based approaches within the context of sustainable development.

SEC. 5. Peatlands as Carbon Sinks. – The conservation and restoration of peatlands sought to be enhanced under this Act shall be aimed at enabling the country to manage peatlands sustainably, taking into account their value as natural solutions to address climate change such as by functioning as carbon sinks, thus providing opportunities for the country to achieve multiple benefits for biodiversity and climate resiliency, including financing through market-based instruments and mechanisms.

SEC. 6. Implementing and Monitoring Agencies. – The Department of Environment and Natural Resources (DENR), through the Biodiversity Management Bureau (BMB), shall be the lead agency in monitoring the overall implementation and compliance with this Act. The Department of the Interior and Local Government (DILG), through the Bureau of Local Government Supervision, shall assist in the implementation of this Act, in coordination with the Department of Agriculture – Bureau of Soils and Water Management, Philippine Atmospheric, Geophysical, and Astronomical Services Administration, Department of Agrarian Reform, DILG – Bureau of Fire Protection, DILG – Bureau of Local Government Development, Department of Public Works and Highways, Climate Change Commission (CCC), Department of Tourism, Department of Science and Technology, Philippine Council for Agriculture, Aquatic and Natural Resources Research and Development, National Commission on Indigenous Peoples, National Water Resources Board, National Museum, concerned DENR Offices, academe, and concerned local government units (LGUs) for specific peatland areas.

The DENR, in coordination with the above-mentioned agencies, shall exercise the following powers and functions within their mandates:

- (a) Formulate, implement and monitor policies, rules, regulations, plans and programs;
- (b) Enter into partnership and engagements with interested partners;
- (c) Develop best practices on the wise use of peatland areas;
- (d) Strengthen and implement communication, education and public awareness programs on peatland conservation; and
- (e) Convene regular meetings to update and share technical progress report to be shared among the coordinating agencies.

SEC. 7. Role of Local Government Units. – The municipal, city, or provincial LGUs having territorial jurisdiction over the peatland and its resources shall prioritize peatlands for protection under Republic Act (RA) No. 7586 or the “*National Integrated Protected Areas System Act of 1992*”, as amended by RA No. 11038, declaration as Critical Habitat under RA No. 9147 or the “*Wildlife Resources Conservation and*

1 *Protection Act*”, or as local conservation area or other effective area-based conservation
2 measures through the ordinances of LGUs. They shall also include the protection and
3 conservation of peatlands and their resources in their respective Comprehensive Land
4 Use Plans, Local Disaster Risk Reduction and Management Plans, Local Climate
5 Change Adaptation Plans, and other local plans in consultation with concerned agencies.
6 They shall coordinate with the DENR and the DILG in the monitoring of peatlands and
7 their resources within their jurisdiction and in compliance with this Act.

8
9 The DENR and the DILG shall provide the technical and financial support to all
10 concerned LGUs for the management and protection of peatlands within their territorial
11 boundaries.

12
13 **SEC. 8. *Integration and Mainstreaming of Peatland Protection and***
14 ***Sustainable Use.*** – All national government agencies and offices and LGUs shall
15 integrate and mainstream peatland protection, conservation, restoration, and sustainable
16 use into their policies, ordinances, rules and regulations, plans, programs, projects, and
17 development planning processes. Peatland conservation and restoration targets shall be
18 identified in all plans related to biodiversity, forestry, land degradation, climate change
19 and disaster risk reduction and management, as applicable. LGUs shall conduct
20 mapping, assessment, delineation, and inventory of potential peatlands in their
21 jurisdiction. Concerned LGUs shall also directly consult with the DENR, the CCC, and
22 affected communities in the development and implementation of their plans, programs,
23 and projects within or having impact on peatlands, especially on their ecosystem
24 services, including their value as effective carbon sinks, consistent with the Nationally
25 Determined Contributions of the Philippines under the Paris Agreement on Climate
26 Change.

27
28 **SEC. 9. *Development of a National Peatland Conservation and Restoration***
29 ***Program.*** – A National Peatland Conservation and Restoration Program, aligned with
30 existing international commitments and national policies, plans, and programs, shall be
31 developed by the DENR, in coordination with other concerned agencies, sectors, and
32 stakeholders, within one year from the effectivity of this Act, to provide direction, support,
33 and guidance to the LGUs and stakeholders in the development and implementation of
34 their local peatland conservation and restoration programs. The National Peatland
35 Conservation and Restoration Program shall define national targets for the conservation
36 and restoration of peatlands and the development of its national coordinating
37 mechanism.

38
39 The Program shall include the following strategies:

40
41 (a) Inventory, mapping, delineation, assessment, and monitoring of peatlands.
42 All peatlands in the country shall be inventoried and assessed. Peatland assessment
43 including bio-capacity, carrying capacity, carbon storage, contributions to ecological
44 connectivity, and ecosystem services assessment and valuation as a natural capital of
45 peatland ecosystems shall be periodically conducted to measure the full extent of the

1 value of peatlands and guide agencies on their conservation, restoration, and
2 sustainable use;

3
4 (b) Assessment of vulnerability to climate change and disaster risk
5 management;

6
7 (c) Peatland carbon stock assessment, accounting, verification, and crediting.
8 The nationwide assessment of carbon stocks shall be completed three (3) years after the
9 completion of a national peatland inventory;

10
11 (d) Assessment and monitoring of greenhouse gas flux and emissions. Results
12 of nationwide assessment of greenhouse gas fluxes from peatlands shall be included in
13 the reports submitted to the United Nations Framework Convention on Climate Change;

14
15 (e) Restoration and rehabilitation of degraded peatlands. Nature-based
16 solutions and ecosystem-based approaches shall be primarily employed in the
17 restoration of the ecosystem services lost from peatland degradation;

18
19 (f) Regulation against peatland drainage, conversion and reclamation, peat
20 extraction, and deliberate setting of fire within the peatland or immediately adjacent
21 areas that may affect the peatland;

22
23 (g) Enforcement of legal easement zones, danger zones, and other land use
24 setbacks. All concerned government agencies and LGUs shall strictly implement land
25 use setback provisions imposed by law;

26
27 (h) Peat fire early warning systems, prevention, control, and monitoring;

28
29 (i) Research, development, and extension. Extensive researches that will
30 determine the value of peatlands and peatland resources as well as best practices that
31 will sustain these values shall be recognized as integral part of management strategies.
32 The use of innovative technologies on sustainable peatland management and practices
33 on peatland ecosystem-based adaptation shall also be promoted and made accessible
34 particularly to vulnerable communities;

35
36 (j) Knowledge management and peatland information system;

37
38 (k) Implementation of soil and water conservation research and development
39 efforts and technologies;

40
41 (l) Measures to address invasive alien species in peatlands;

42
43 (m) Establishment and promotion of peatland best management practices and
44 capacity building, including Public-Private Partnership;

1 (n) Communication, education, participation, capacity-building, and awareness
2 program;

3
4 (o) Collaboration with indigenous peoples and local communities in the
5 management and wise use of the peatlands including providing sustainable livelihood for
6 peatland dependent communities, in coordination with the Department of Trade and
7 Industry, Technical Education and Skills Development Authority, and other concerned
8 agencies;

9
10 (p) Harmonization and integration of local and traditional ecological knowledge
11 and practices with science-based knowledge systems; and

12
13 (q) Environmental impact assessments for any development activity proposed
14 within the peatland or adjacent areas or the catchment of the peatland which may
15 potentially have a negative impact on the peatland.

16
17 **SEC. 10. Land Classification of Peatland.** – Peatlands that are classified as
18 agricultural lands shall be reclassified to either forest lands or national parks if, upon the
19 recommendation of DENR based on a suitability assessment, such peatlands have high
20 conservation value and still provide ecosystems services particularly water and climate
21 regulation.

22
23 All peatlands that have been alienated and disposed for agricultural purposes
24 after classification as agricultural lands but are not being utilized for such purpose shall
25 be rehabilitated, restored, protected, and conserved. For purposes of rehabilitation,
26 restoration, protection, and conservation, based on suitability assessment, the Secretary
27 of the DENR may acquire by purchase, donation, or expropriation, lands or interests
28 therein including the acquisition of usufruct, establishment of easements or other
29 undertakings appropriate in protecting the peatlands. Peatlands with high conservation
30 value and which provide ecosystem services, particularly water and climate change
31 regulation, shall be recommended for such undertakings.

32
33 **SEC. 11. Prohibited acts.** – In addition to acts or omissions already penalized
34 under existing laws, the following offenses in peatlands within public domain shall be
35 punishable under this Act:

36
37 (a) Drainage of peatlands for agriculture development, industrial, urban, illegal
38 logging, transport, infrastructure, and other land use;

39
40 (b) Forest clearance and degradation for peatland conversion to agriculture,
41 mining, residential, or any other kind of conversion such as logging, human-induced fire,
42 illegal peat reclamation, illegal peat dewatering, illegal peat quarrying, or illegal
43 harvesting of wildlife;

44
45 (c) Peatland deforestation and fires for land clearance, land claims and
46 conflicts, and resource extraction;

1 (d) Peatland clearing or earth moving for conversion to fish ponds or heavy
2 developments including recreational facilities that are not suitable to peatlands;
3

4 (e) Dumping of wastes and sediments from mining, factories, quarrying
5 operations, and sewer, as well as farm water carrying pesticide residues or pollutants
6 such as swine or livestock effluents thereby causing pollution to the peatlands; and
7

8 (f) Introduction of invasive alien species in peatlands.
9

10 **SEC. 12. *Penalties.*** – Any person who violates the provision/s of this Act shall,
11 upon conviction, be punished with a fine of not less than Two Hundred Thousand Pesos
12 (₱200,000.00) or imprisonment of not less than six (6) months, or both, at the discretion
13 of the court.
14

15 **SEC. 13. *Reporting Responsibility.*** – The DENR Regional Executive Director
16 (RED) shall submit to the DENR Secretary, through the BMB, an annual accomplishment
17 report on peatlands located within the territorial jurisdiction of the RED. The report shall
18 include the conditions and benefits of the biological resources and ecosystem services of
19 the peatland to be submitted by the RED, through channels, to the Secretary of the
20 DENR every five (5) years. Consequently, the BMB shall, likewise, prepare a report on
21 the implementation of the National Action Plan for the Protection and Sustainable Use of
22 Philippine Peatlands every five (5) years and shall submit the same to the President of
23 the Philippines and both Houses of Congress. The report on the status of peatlands shall
24 contain an updated national action plans on biodiversity, forestry, land degradation,
25 climate change, and disaster risk reduction and management, among others.
26

27 **SEC. 14. *Appropriations.*** – The amount necessary for the initial implementation
28 of this Act shall be charged against the current year's appropriations of the DENR.
29 Thereafter, such amount shall be included in the annual General Appropriations Act.
30

31 **SEC. 15. *Implementing Rules and Regulations.*** – Within six (6) months from
32 the effectivity of this Act, the DENR shall, in close coordination with concerned agencies
33 and stakeholders, issue rules and regulations necessary to implement the provisions
34 hereof.
35

36 **SEC. 16. *Separability Clause.*** – If any provision of this Act is declared
37 unconstitutional or invalid, any part or provisions not affected thereby shall continue to be
38 in full force and effect.
39

40 **SEC. 17. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
41 regulations, or parts thereof which are contrary or inconsistent with this Act are hereby
42 repealed or modified accordingly.
43

44 **SEC. 18. *Effectivity.*** – This Act shall take effect fifteen (15) days following its
45 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,