

REPUBLIC OF THE PHILIPPINES
SUPREME COURT
Manila



Figure 1. Do we want to continue enduring the chaotic traffic brought about by a car-centric transportation system? Or do we want clean and orderly roads that feature energy-efficient transportation and spaces for *all* modes of locomotion (walking, cycling, etc.), not just motor vehicles.

Victoria Segovia, Ruel Lago, Clariesse Jami Chan, representing the Carless People of the Philippines; Gabriel Anastacio represented by his mother Grace Anastacio, Dennis Orlando Sangalang represented by his mother May Alili Sangalang, Maria Paulina Castañeda represented by her mother Atricia Ann Castañeda, representing the Children of the Philippines and Children of the Future; and Renato Pineda, Jr., Aron Kerr Menguito, May Alili Sangalang, and Glynda Bathan Baterina, representing Car-Owners who would rather not have cars if good public transportation were safe, convenient, accessible, available, and reliable;

Petitioners,

Special Civil Action No. _____
For a Writ of Kalikasan and Continuing Mandamus Under the Rules of Procedure for Environmental Cases (AM 9-6-8-SC)

- versus -

The Climate Change Commission, represented by its Chairman, His Excellency Benigno S. Aquino III, and its Commissioners Mary Ann Lucille Sering, Heherson Alvarez and Nadarev Sano; Department of Transportation and Communications (DOTC) represented by its Secretary, Honorable Joseph Abaya, Secretary; Department of Public Works and Highways (DPWH) and The Road Board, represented by its Secretary, Honorable

Rogelio Singson; Department of Interior and Local Government (DILG), represented by its Secretary, Honorable Manuel Roxas; Department of Environment and Natural Resources (DENR), represented by its Secretary, Honorable Ramon Paje; Department of Budget and Management (DBM), represented by its Secretary, Florencio Abad; Metropolitan Manila Development Authority (MMDA), represented by its Chairman, Francis Tolentino; Department of Agriculture (DA) represented its Secretary, Honorable Proceso Alcala; and John Does, representing as yet unnamed local government units and their respective local chief executive, juridical entities, and natural persons who fail or refuse to implement the law or cooperate in the implementation of the law;

Respondents

X-----X

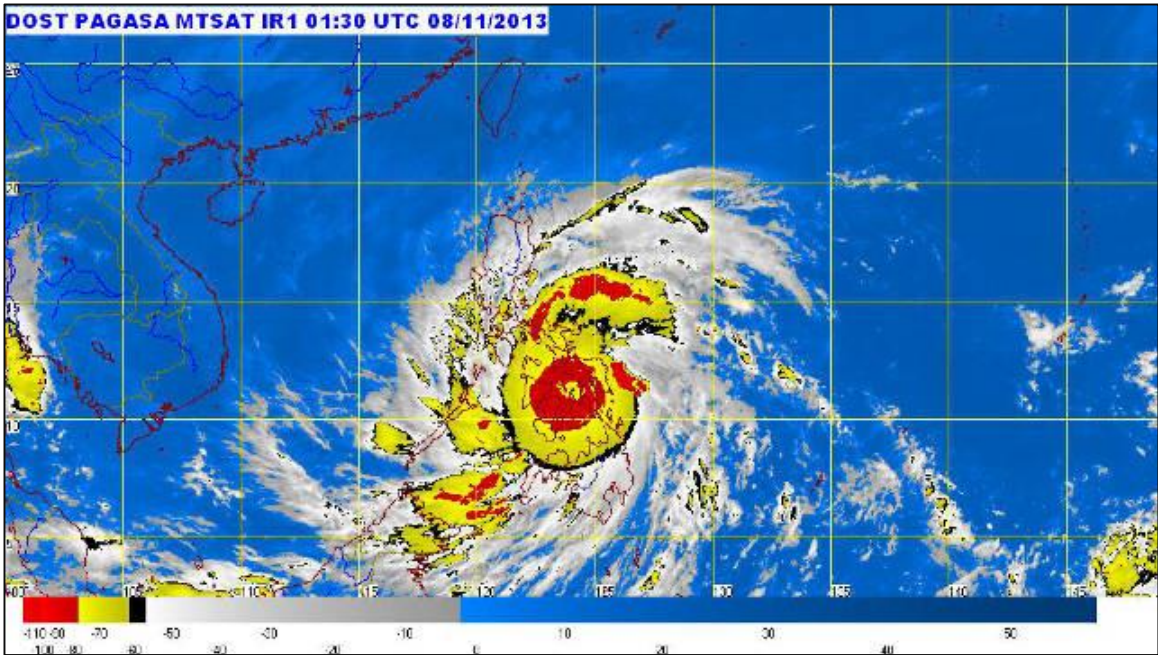


Figure 2. Typhoon Yolanda is a result of the ongoing climate crisis.

PETITION FOR WRIT OF KALIKASAN AND WRIT OF CONTINUING MANDAMUS

Petitioners, by counsels, respectfully state:

THE PARTIES

Petitioners

Victoria Segovia, Ruel Lago, Clariesse Jami Chan, all Filipinos and of legal age, represent the CARLESS PEOPLE OF THE PHILIPPINES, who comprise about 98% of the Filipino people.

Gabriel Anastacio represented by his mother Grace Anastacio, Dennis Orlando Sangalang represented by his mother May Alili Sangalang, Maria Paulina Castañeda represented by her mother Atricia Ann Castañeda, stand for the CHILDREN OF THE PHILIPPINES AND CHILDREN OF THE FUTURE (CHILDREN). The Children are the persons most vulnerable to air poisoning, vehicular accidents, and assault because of the unsafe and wasteful car-centric transportation policies of respondents.

Renato Pineda, Jr., Aron Kerr Menguito, May Alili Sangalang, and Glynda Bathan Bateria represent CAR-OWNERS who would rather not own, use and maintain a car if only good public transportation and other non-motorized mobility options, such as clean, safe and beautiful sidewalks for walking, bicycle lanes, and waterways, were available.

Petitioners bring this suit as citizens, taxpayers and representatives of many other persons similarly situated but who are too numerous to be brought to this court. All of them stand to be injured by respondents' unlawful neglect of the principle that "Those who have less in wheels must have more in the road" (Road Sharing Principle) as directed by law. As a result of such neglect, respondents violate the Filipino people's basic human rights to health, to equal protection of the laws, and to their right to a balanced and healthful ecology in accord with the rhythm and harmony of Nature.¹

For the convenience of the Court, petitioners may be collectively served with processes of this Honorable Court through their counsels, with addresses at 2nd Floor, Multinational Bancorporation, 6805 Ayala Avenue and No. 126 Lapulapu Street, Southvale, Gawaran 4102, Bacoor City, Cavite. Electronic communication may be sent to sharetheroads2014.ph@gmail.com.

¹ Right to health (Sec. 15, Article II), Right to equal protection of the Laws, (Sec. 1, Art III), and right to a balanced and healthful ecology (Sec. 16, Article II) of the 1987 Philippine Constitution.

Respondents

The CLIMATE CHANGE COMMISSION is a government agency created under Republic Act 9279. It is tasked to take over the functions and duties of the Presidential Task Force on Climate Change, created under Administrative Order (AO) 171. It may be served with processes of this Honorable Court at Room 238, Mabini Hall, Malacañang Compound, San Miguel, Manila.

The Chairman of the Climate Change Commission is the President of the Philippines, His Excellency Benigno S. Aquino. The members of the Commission are Mary Ann Lucille Sering, who serves as the Vice Chair and Executive Officer, and Messrs. Heherson Alvarez and Nadarev Sano.

The DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS (DOTC) is an agency of the Philippine Government, herein represented by its incumbent Secretary Joseph Abaya. It may be served with processes of this Honorable Court at The Columbia Tower, Ortigas Avenue, Barangay Wack-Wack, Mandaluyong City.

The DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH) is an agency of the Philippine Government, herein represented by its incumbent Secretary, Rogelio Singson. It may be served with processes of this Honorable Court at Bonifacio Drive, City of Manila.

The ROAD BOARD is an attached agency of the DPWH, herein represented by its Chairman, Rogelio Singson. It may be served with processes of this Honorable Court at 2nd Floor, Ave Maria Building, 1517 Quezon Avenue corner Examiner Street, West Triangle, Quezon City.

The DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG) is an agency of the Philippine Government, herein represented by its incumbent Secretary, Manuel Roxas III. It may be served with processes of this Honorable Court at DILG Center, E. delos Santos corner Quezon Avenues, Quezon City.

The DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) is an agency of the Philippine Government, herein represented by its incumbent Secretary, Ramon Paje. It may be served with processes of this Honorable Court at Visayas Avenue, Quezon City.

The DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) is an agency of the Philippine Government, herein represented by its

incumbent Secretary Florencio Abad, and may be served with summons and processes at its office at General Solano Street, San Miguel, Manila.

All of the above respondents are being sued as nominal respondents for their failure to implement AO 171, series of 2007, Executive Order (EO) 774, AO 254, series of 2009, and Republic Act (RA) 9729, and RA 8749.

METROPOLITAN MANILA DEVELOPMENT AUTHORITY (MMDA) is an agency of the Philippine Government, represented by its incumbent Chairman Francis Tolentino. It may be served with processes of this Honorable Court at Orense Street, Guadalupe, E. de los Santos Avenue, Makati City. As the entity in charge of the traffic and transportation system of Metropolitan Manila, it is being sued as a necessary party for petitioners to achieve complete relief in this case.

JOHN DOES represent natural and juridical persons, local government units (LGUs) and other entities who refuse to implement, or to cooperate in the implementation of the Road Sharing Principle and the reliefs prayed for in this petition. This includes Barangay officials of private subdivision or village officers and board members who allow public space to be used for private use and such as for parking, side walk vending, illegal structures, etc. They are being sued herein as necessary parties because without their participation and cooperation, there will be no final and complete resolution of the issues set forth in this case.

NATURE OF THE PETITION

This is an action for a Writ of *Kalikasan*² and for a Writ of Continuing Mandamus under Rules 7 and 8 of the Rules of Court for Environmental Cases³ to:

- a. compel respondents to implement AO 171, EO 774, AO 254, and RA 9729 (Laws); and

² *Kalikasan* means 'Nature' in Filipino. The Writ of *Kalikasan* is an innovation in the Rules of Court in Philippine Law. The writ is a remedy available to a natural or juridical person, entity authorized by law, people's organization, non-governmental organization, or any public interest group accredited by or registered with any government agency, on behalf of persons whose constitutional right to a balanced and healthful ecology is violated, or threatened with violation by an unlawful act or omission of a public official or employee, or private individual or entity, involving environmental damage of such magnitude as to prejudice the life, health or property of inhabitants in two or more cities or provinces (*Infra*, Rule 7, Sec. 1)

³ Supreme Court Administrative Matter (AM) No. 09-6-8-SC

- b. direct respondents to end the continued violation of petitioners' constitutional right to health, a balanced and healthful ecology, and equal protection of the laws.

Writ of Continuing Mandamus

The Laws are environment laws that seek to mitigate the ill-effects of the crisis of climate change, reduce air pollution, and improve air quality by adopting the Road Sharing Principle.⁴ Respondents are duty-bound to implement the Laws. For their failure to do so, petitioners are entitled as a matter of right to compel their performance by way of a Writ of Continuing Mandamus.

Writ of *Kalikasan*

Respondents' failure to perform their duties enjoined by the Laws has led to serious degradation of the quality of the country's air, particularly that of Metropolitan Manila, in blatant violation of petitioners' constitutional rights to health and to a balanced and healthful ecology in accord with the rhythm and harmony of Nature. Such degradation of air quality prejudices the life, health, and property of the residents of Metropolitan Manila's seventeen (17) local government units. As such, petitioners are entitled to the issuance of a Writ of *Kalikasan* to prevent further violation of their constitutional rights and to put a stop to the continued threat it poses to their lives, health and property.

Petitioners have no other plain, speedy, and adequate remedy in the ordinary course of law to compel respondents to perform their duty to implement the said laws, except by this petition.

STATEMENT OF FACTS

Climate Crisis

The rapidly-changing climate is the "single greatest threat to sustainable development."⁵

The warning signs are all around us – recurring and devastating floods, landslides, rapid sea level rise, storm surges, and extreme weather events the world over.

⁴ EO 774, Sec. 9(a)

⁵ "Greater financial investment needed to combat climate change – UN chief," UN News Centre, United Nations, last accessed December 24, 2013 <<http://www.un.org/apps/news/story.asp?NewsID=46259#.UrhuDWQW2QY>>

The Philippines is no stranger to this phenomenon. In fact, it is among the most vulnerable to the adverse impacts of climate crisis. As this petition was being drafted, Typhoon Yolanda (international name *Haiyan*), one of the most powerful typhoons in recorded history, swept through the Visayas Region. It left thousands of people dead and hundreds of thousands more homeless, without access to food and water. It wiped out an entire city with a storm surge never before seen in Philippine history and this for a country that is hit by an average of 20 typhoons per year.⁶



As usual, there is finger-pointing of causes and effects, of duties and responsibilities.

Figure 3 Destruction caused by Typhoon Yolanda.

But there is no solution in sight. We have paved over with concrete practically all of the available open spaces. Wetlands and ponds, and even large part of lakes, have all been filled-up for human settlements. To recall, ponds, lakes and wetlands were designed by Nature so that they will catch and/or absorb excess rain waters.

We build on them, pave them with concrete, and when excess rainwater has nowhere to go and there is massive flooding, we are surprised.⁷

Scientific Evidence

The map below is from the US National Oceanographic and Atmospheric Administration (NOAA). It reveals that among the hottest bodies of water (in orange and red) are those in Asia. In the middle of it is a group of islands once known as the *Perlas del Mar de Oriente*.

⁶ While typhoons are normal atmospheric phenomena, there is scientific evidence to show that the frequency, the erratic directions and the intensity of the recent typhoons are consequences of the increasingly heating sea surface temperatures as a result of the ongoing atmospheric changes.

⁷ In the words of one of the greatest thinkers of the 20th century, Albert Einstein, "Only two things are infinite, the universe and human stupidity, and I'm not sure about the former."

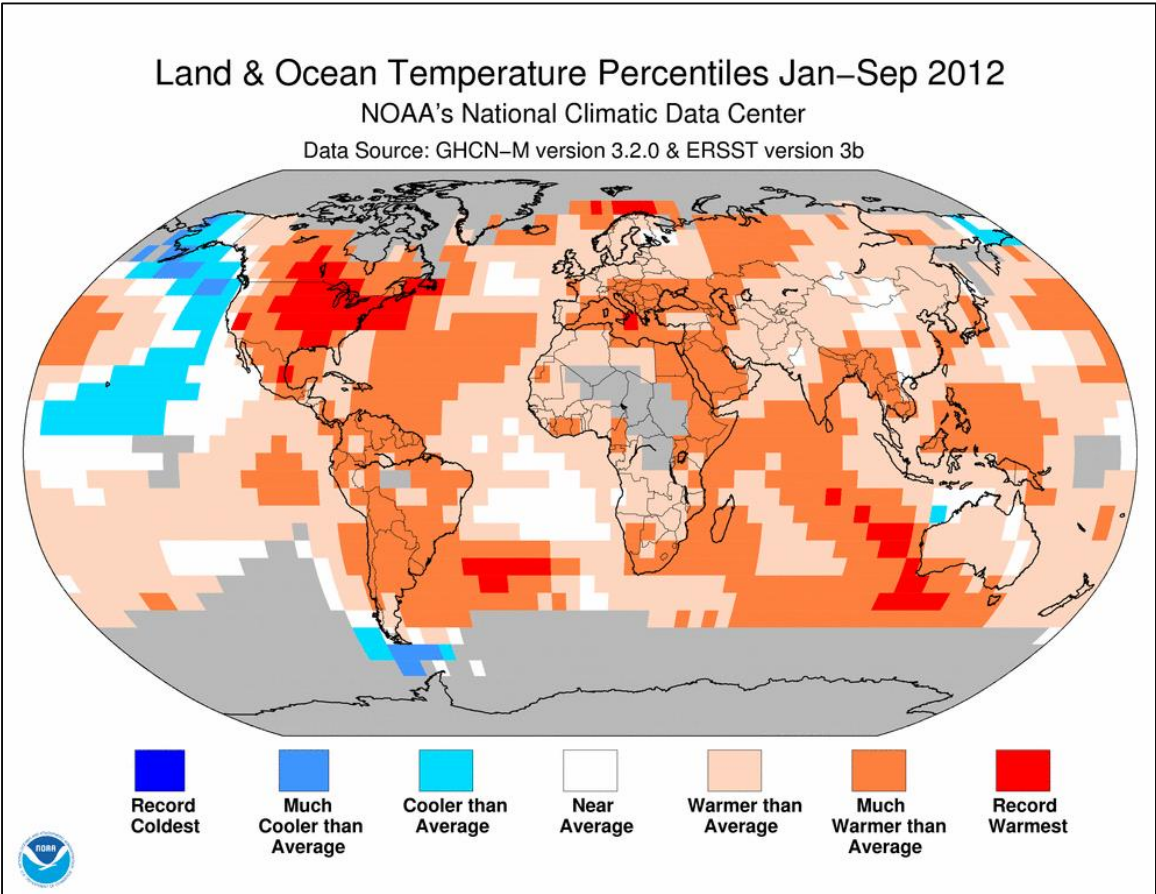


Figure 4. The waters surrounding the Philippines is very much warmer than average.

Effects of Hot Water

Basic science tells us that where the water is hot, there is greater evaporation, greater condensation of water vapor in the clouds resulting in a much greater volume of precipitation in the form of rain.⁸

It has since been scientifically established that the cause of this heating phenomenon is the excessive release of heat-trapping gases into the atmosphere. Among these heat-trapping gases is the main culprit – carbon dioxide (CO₂). As we know from our grade school science teachers, CO₂ is released from the burning of fossilized carbon material such as wood, oil, coal, or natural gas.

These heat-trapping gases also known as ‘greenhouse gases’ (GHGs) accumulate in the upper layer of the Earth’s atmosphere. Up there it acts like a roof that prevents heat from dissipating.

Basic science also tells us that when heat from the sun enter the Earth, hits the Earth’s surface, and then bounces back into outer space in the form of infra-red rays. However, because of the artificial roof created by heat-trapping gases, the heat can no longer escape to outer space. Instead, it accumulates in the lower levels of the atmosphere, the level that regulates the climate and weather patterns

⁸ Or snow in temperate zones.

of the Earth. As a result, this accumulation of heat in the atmosphere is the cause of the ongoing rapid climate change, ever-increasing global heating, and the 'weirding of the weather.'

The main cause of the release of carbon dioxide into the atmosphere is the burning of fossil fuel, which we use to run the internal combustion engine of our motor vehicles.

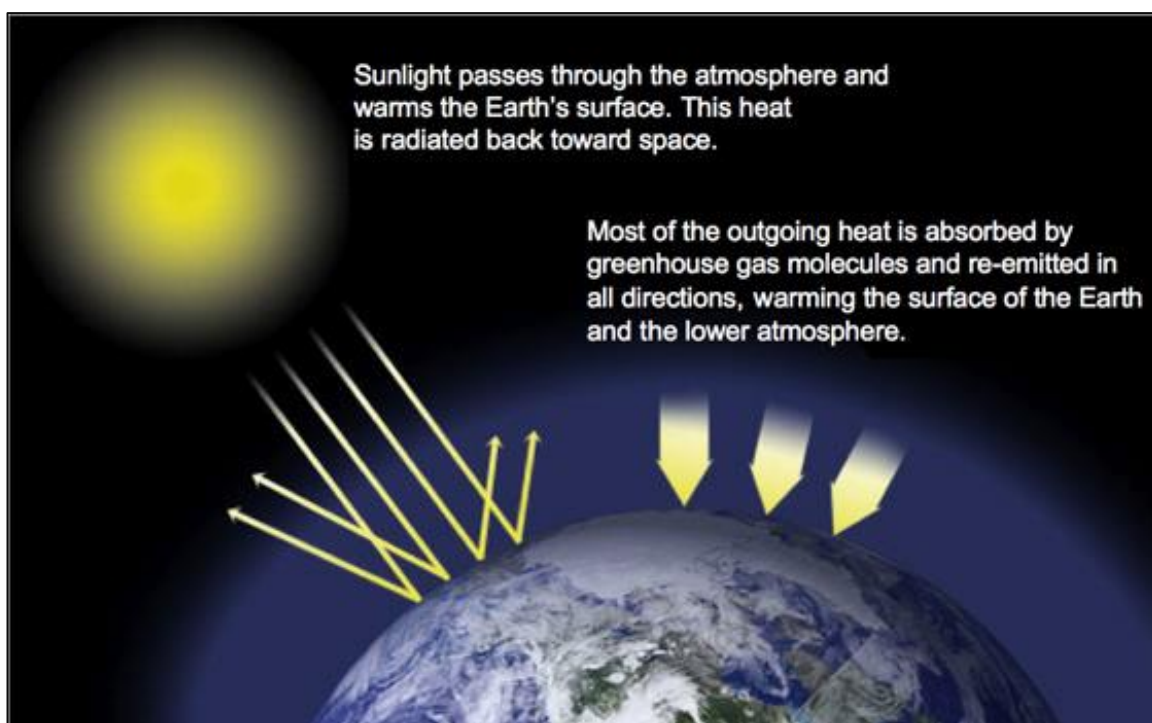


Figure 5 How GHGs trap heat.

Transportation

According to a study by the Organization for Economic Co-operation and Development (OECD), the transportation sector is responsible for more almost one-fourth (23%) of global carbon dioxide emissions.⁹

However, the figure does not take into account other activities involved in the production and use of motor vehicles such as:

- a. Mining of mines, manufacture, transportation of ore and steel to make cars and motor vehicles.
- b. Mining and transportation of rocks, sand and aggregates to build roads, in the mining of lime and in the tremendous heat needed to manufacture cement.
- c. Clearing of forests to plant rubber trees, and in the manufacture and transportation of tires.

⁹ "Reducing Transport Greenhouse Gas Emissions Trends and Data 2010," Organization for Economic Co-operation and Development (2010), p. 5

- d. Use of hydro-flourocarbons (HFCs) in mobile air conditioners. These chemicals, also known as the fluorinated gases, are known as the “super-greenhouse gases” because they are *thousands of times* hotter than a carbon dioxide molecule.
- e. Carbon emissions released by the tremendous military might that protects the vital sea-lanes of oil in the Middle East.
- f. Embedded heat absorbed by the concrete roads, resulting in the urban climatic phenomenon known as the ‘heat islands.’

All of the above activities also emit carbon dioxide. When they are taken into account, the global contribution of the transport sector to the emission of carbon dioxide can be estimated at fifty percent (50%).¹⁰

The ecological cost is even higher when we factor in the loss of open space and lands that would have been covered by water or by trees and other forms of vegetation that would have absorbed carbon dioxide. As we have seen only too well with what is happening in Metro Manila and in the other urban areas of the country, flooding is hurtling headlong from worse to worst.

If we can address the wasteful ways of our present transportation system, we will immediately be able to reduce a significant part of the heat-trapping gases that are now being spewed out in the atmosphere.

The Judicial Affidavit of noted scientist and climate change expert, Jose Ramon T. Villarin, S.J., explaining climate change, its causes and the measures available to address it, is attached as **Annex A**.

Car Ownership

Car ownership in the country is very disproportionate. Only 2 percent (2%) of our people own motor vehicles.¹¹ However, the majority of the roads are given to them. The government policy has been to build more and more roads to accommodate more and more private vehicles. The remaining ninety-eight per cent (98%) of the population are not even given enough space to walk on. This is known as the car-centric model of transportation policy. It favors cars and individualized motor vehicles instead of collective transportation.

As a result, the country’s roads are made to cater mainly to a tiny segment of the population. The rest of the population, on the

¹⁰ See Annex A, *infra*

¹¹ “Motor vehicles (per 1,000 people), World Bank, last accessed December 24, 2013, <http://data.worldbank.org/indicator/IS.VEH.NVEH.P3>.

other hand, are left to endure narrow or absent sidewalks and an inefficient public transportation system, all the while breathing in fumes emitted by the vehicles of the car-owning few. This car-centric transportation policy is the result of the Philippines trying to ape the transportation model of Los Angeles, a model we see in the American movies. This is the result of our people having visited Los Angeles and admired its big malls and wide parking lots, multi-lane highways and freeways, and an utterly wasteful use of public space. This is a transportation model that is not only based on make-believe movies, it is also totally inappropriate for space-challenged urban areas like Metro Manila.

Perforce, where space is very limited and scarce, it must not be wasted. That is the essence of economics – the efficient use of scarce resources. Besides, roads are made for people, not for cars; thus the transportation policy must serve people, not machines.

Some of herein petitioners are car owners. Car ownership, expensive as it is, has become necessary in Metro Manila and in highly urbanized cities of the Philippines because public transportation is very difficult, polluting, inconvenient, time-consuming, unsafe, and unreliable.



Figure 6. A case of social and environmental injustice: Why should 98% of Filipinos have to pay for the roads when only 2% of the population who own cars can use them?

These car-owning Petitioners would rather give up their cars, or not use them at all, if only public transportation were safe, convenient, and reliable. After all, who wants to pay ₱25,000 a month for the fuel, toll fees, and maintenance of a car? That does not even include the cost of the car of at least ₱700,000.

This amount of money can very well go to the education of our children, to the amortization of a family home, for medical care, and for other basic necessities.

But because government policy has been to encourage more and more roads for more and more cars, petitioners Car Owners have been constrained to buy and maintain their cars. They hereby join in solidarity with the Carless People of the Philippines, and others, who advocate for better public transportation and for non-motorized mobility and transportation options.

Air Pollution

As a result of the proliferation of motor vehicles and private cars, the air has become poisoned.

In 1999, RA 8749 (Clean Air Act) was enacted and set air quality guideline values for the protection of health and/or public welfare.¹² Unfortunately, according to the latest National Air Quality Status Report of the Environment Management Bureau (National Report), these guideline values have not been complied with.¹³

The same National Report reveals that emissions from motor vehicles are the primary cause of air pollution. Vehicles emit 65% all pollutants in our air. This is equivalent to more than 4.5 million tons of harmful fumes that Filipinos breathe in daily. More than half (2.9 million tons) of this is carbon monoxide.¹⁴ Further, a quarter of all vehicle-sourced air pollutants was emitted Metro Manila. The EMB’s 2011 Metro Manila Air Quality Status Report (Metro Manila Report) states that vehicular emissions in Metro Manila totaled around 1.5 million tons.¹⁵

A copy of the EMB’s latest National Report and Metro Manila Report attached as **Annexes B** and **C**, respectively.



Figure 7. The smog over Metro Manila indicates severe air pollution.

The Judicial Affidavit of Dr. Doris B. Montecastro further explaining the dismal state of the air in Metro Manila is attached as **Annex D**.

¹⁵ Figure is the sum of all values listed in Table 9 of the Metro Manila Report (Annex C, p. 22)

As we know, the burning of gasoline and diesel releases a deadly cocktail of poisonous gases such as carbon dioxide, carbon monoxide, sulfur oxide, nitrogen oxides and other particulate matter.

How deadly is this? Exposure to 1,000 ppm of carbon monoxide for 80 minutes causes immediate death.¹⁶ Yet because of the number of motor vehicles plying our roads, we are releasing more than 2.9 million tons a year (or around 8,000 tons¹⁷ a day) into the air and directly into our fragile lungs.

Remember how Hitler killed the Jews in World War II? He gassed them in the gas chambers using poisonous fumes such as carbon monoxide. And here is our government gassing us every single day with 8,000 tons of carbon monoxide. Therefore, as will be later discussed, respondents stand charged with ecological homicide.

The above numbers are consistent with everyday reality. One needs only to go out, have someone start the engine of a motor vehicle, and stand in front of the exhaust pipe to see how poisonous vehicular fumes are. Doing so for more than a few minutes will surely make one sick, or worse, dead.

Health Costs of Air Pollution

According to a World Bank study,¹⁸ more than 1 million Filipinos get sick¹⁹ and 15,000 die every year due to the country's polluted air. The brunt of these figures is borne by Filipino children. Almost half of air-pollution-related illnesses hit Filipino children aged four (4) and below.²⁰



Figure 8. Children suffer the brunt of air pollution's ill effects to human health.

¹⁶ "Carbon Monoxide, Health Effects." Center for Disease Control (2009), p. 35, last accessed December 24, 2013 <<http://www.atsdr.cdc.gov/toxprofiles/tp201-c3.pdf>>

¹⁷ Extrapolated from annual figure (i.e., 2.9 million tons divided by 365 days)

¹⁸ World Bank, The Philippines: Country Environmental Analysis (2009), p. 8, 33, 34

¹⁹ Diseases studied include acute lower respiratory infections, pneumonia, and acute bronchitis.

²⁰ *Supra* note 18, p. 33

When these figures are valued in terms of lost contribution to economic activity, sicknesses and deaths caused by air pollution are estimated to cost the country more than ₱950 million²¹ and ₱5.521 billion²² annually.

Further, a survey showed that 98% of Metro Manila residents are affected by urban air pollution and 71% believed that air quality has worsened over the past year. Further, a majority of respondents complained about air-pollution caused illnesses. Eighty two percent (82%) indicated that they were experiencing irritation to their eyes, nose, and throat; 57% experienced breathlessness or had difficulties in breathing; and 27% attributed skin problems to pollution.²³

The Judicial Affidavit of Dr. Daphne D. Bate of the Lung Center of the Philippines further explaining the health impacts of air pollution on Metro Manila residents is attached as **Annex E**.

The Law

In order to curb air pollution and address the looming threat of climate change, the Presidential Task Force on Climate Change (PTFCC) was created through AO 171.²⁴ The PTFCC was directed to ensure strict compliance with air emission standards and to undertake measures to prevent or reduce greenhouse gas emissions in the Philippines.²⁵

On December 26, 2008, the PTFCC was reorganized through Executive Order No. 774²⁶ and a Task Group of Fossil Fuels (TGFF) was created. The DOTC was tasked to lead the **transformation of the paradigm** (and policy) of transportation to favor non-motorized locomotion and collective transportation system (walking, bicycling, and the man-powered mini-train). It was mandated to follow the Road Sharing Principle.²⁷

²¹ *Supra* at note 18.

²² *Id.*, p. 36

²³ "Philippines Country Profile, Focus on Smaller Cities," Clean Air Initiative (2009), p. 11, last accessed December 24, 2013
<http://cleanairinitiative.org/portal/system/files/FINAL_Philippine_Country_Profile_10Jan10.pdf>

²⁴ For the efficient use of paper, the full text of this law may be accessed at
<<http://www.gov.ph/2007/02/20/administrative-order-no-171-s-2007/>>

²⁵ AO 171, Sec. 3 (2) and (3)

²⁶ For the efficient use of paper, the full text of this law may be accessed at
<<http://www.gov.ph/2008/12/26/executive-order-no-774-s-2008/>>

²⁷ EO 774, Sec. 9(c)

The two concerned agencies – respondents DOTC and DPWH – were directed to work hand-in-hand to ‘immediately transform roads using aforesaid principle,’ i.e., “that those who have less in wheels must have more in roads.”²⁸

Further, because example is the best teacher, the Malacañang Palace and all the cabinet offices, including respondents, were directed to cut down on fossil fuel consumption by at least 50% in 730 days (2 years).²⁹

To ensure the implementation of the transportation policy shift from its present bias for motor vehicles to instead favor people, the law provided for a budget. Thus, the DBM was directed to “immediately make available funds from Road Users’ Tax.”³⁰

Determined to implement the measure, the Office of the President further ordered that the “Secretaries of the DOTC, DBM and DPWH shall personally report to the President through the PACC every 48 hours on the progress of the above initiatives.”³¹

To implement the policy at the ground level, the Department of Interior and Local Government (DILG) was directed “to coordinate with local government units and guide them on the plan to transform the locomotion and transportation system to favor parties who have no motorized vehicles.”³²

The Road Sharing Principle in EO 774 was reiterated in AO 254.³³ This



Figure 9. This is possible to have as our sidewalks and walkways if we only changed our thinking about motor vehicles.

²⁸ *Supra* at note 27., Sec. 9(a)

²⁹ *Id.*

³⁰ *Id.*, Sec. 9 (e)

³¹ *Id.*, Sec. 9(f)

³² *Id.*, Sec. 9(g)

³³ For the efficient use of paper, the full text of this law may be accessed at <<http://www.gov.ph/2009/01/30/administrative-order-no-254-s-2009/>>

Order directs the TGFF to formulate a National Environmentally Sustainable Transportation Strategy³⁴ and “reform the transport sector to reduce the consumption of fossil fuels.”³⁵

It was further tasked to coordinate with local government units, through the DILG, to guide them on the plan to transform the locomotion and transportation system *to favor parties who have no motorized vehicles*. It also called for the mainstreaming of the National Environmentally Sustainable Transportation Strategy.³⁶

Funding to support the operations and activities of the Task Group, was to be made available from the Special Vehicle Pollution Control Fund of the Motor Vehicle Users’ Charge and other sources.³⁷

But Philippine Laws are Understood Only as Suggestions.

Path-breaking as these legal issuances are, alas, in the Philippines, laws appear to be only suggestions, almost only hints.

Instead of transforming the roads and the transportation system to favor non-motorized locomotion and transport, the Philippine government has gone on its merry way building more and more roads, paving with concrete almost all available open spaces. Even the air space has not been spared with the government’s mania for building skyways. All land use experts agree that building more roads only increases traffic. Further, because soil that would have absorbed water is paved over with concrete, this aggravates our recurrent and ever-increasing episodes of intense flooding.

Disturbed by the above information and fearing for their lives, health, and property as well as those of their countrymen, petitioners looked for ways to implement the transportation policy shift mandated by the Laws. However, none of these Laws appear to have been implemented by the concerned government agencies. As a matter of fact, the agencies do not even seem to know about these laws. That is the funny thing about Philippine environmental laws: the people and agencies supposed to implement them do not even know they exist. This situation has been likened to that situation of a handsome man winking at a pretty woman in the dark. It is of absolutely no effect.

³⁴ AO 254, Sec. 1

³⁵ *Id.*, Sec. 4(a)

³⁶ *Id.*, Sec. 4(g)

³⁷ *Id.*, Sec. 5

Thus, the frustrated petitioners, assisted by several Filipino and international environmental lawyers, wrote respondents and other concerned government agencies a letter on July 3, 2013. Petitioners implored them to comply with Laws.³⁸ Petitioners even offered to help implement the Road Sharing Principle.

Alas, petitioners’ plea went unheeded. Not one of the addressees even so much as acknowledged their receipt, much less even replied to the petitioners’ letter.³⁹

A copy of said letter is attached as **Annex F**.

Hence, this petition.



Figure 10. EDSA during rush hour.

³⁸ EO 774, AO 171, and AO 254

³⁹ Note that failure to respond to a letter from a citizen is actionable under the Code of Conduct for Public Officials (Rep. Act 6713).

CAUSES OF ACTION

- A. Failure and Refusal to Perform an Act Mandated by Environment Laws**
- B. Violation of Environment Laws Resulting in Environmental Damage of Such Magnitude as to Prejudice the Life, Health and Property of All Filipinos.**

DISCUSSION

A. Failure and Refusal to Perform an Act Mandated by Environment Laws

Laws are Mandatory

The duty to implement the Laws is mandatory. The language of the Laws are clear as demonstrated by the use of the word “shall.”⁴⁰ The Supreme Court has consistently held that “shall” indicates the mandatory character of the law or provision.⁴¹

In addition, these Laws serve the public interest. It involves nothing less than the survival of our people through our ability to adapt to the adverse effects of the ongoing climate crisis. According to the Supreme Court, this circumstance further confirms the mandatory character of the law.⁴²

Contrary to popular misconception, Charles Darwin did not say that only the fittest will survive. He said that those who will survive are those that adapt the best.

The Road Sharing Principle is climate adaptation and mitigation of heat-trapping gases at its finest. In the broken windows theory of social change, the present mindset transportation and roads *is* the broken window. If we change this mindset, the positive changes and beneficial effects will cascade all throughout Filipino society and eventually all throughout the society of the so-called *homo sapiens*.⁴³

⁴⁰ Sec. 3, AO 171 says: “The Task Force shall have the following functions ***”

Sec. 9, EO 774 says: “*** (DOTC) shall lead a Task Group to reform the transportation sector. ***”⁴¹.

Sec. 4, AO 254 says: “***the TGFF shall initiate and pursue the formulation of the National EST Strategy for the Philippines. Specifically, the TGFF shall perform the following functions ***”⁴².

Sec. 23, RA 9729 says: “***[T]heir powers and functions shall be absorbed by the [Climate Change] Commission: ***”

⁴¹ Cirpiano Enriquez vs. Maximo Enriquez, et al., G.R. No. 139303, August 25, 2005

⁴² Juanito Pilar vs Commission on Elections, G.R. No. 115245, July 11, 1995

The positive changes that will happen with the implementation of the Road Sharing principle and policy are multiple and varied:

- Restore order
- Eliminate traffic congestion
- Make travel time predictable
- Restore discipline (when everyone is watching, hooligans will stay away from the streets)
- Fair use of public space and public funds
- Increase disposable income (from reduced transportation costs)
- Healthier people (Doctors prescribe that an adult must walk at least 10,000 steps (or 5 kilometers) per day. How many steps do *you* walk a day?)
- Valuable urban space is freed up edible gardens to feed the hungry poor.⁴⁴
- More open space for parks and sports recreation
- Lessen dependence on oil and the resulting savings in foreign currency which may be used for essential social services (health, food, shelter, education, etc.)
- Restore a sense of community. Non-car owners will not feel discriminated against in the roads, and alienated from society. By giving them space it will promote more human interaction and restore the vitality of the human community.
- Reduced criminality. With a restored sense of belonging, the increased availability of food, increased disposable income, access to decent shelter and medical care, common crimes against property will be significantly reduced, if not almost eliminated.
- Increased income of transportation drivers and operators. With more people taking public transportation, buses and public transportation will run at optimum capacity. With lesser cars and motor vehicles on the roads, traffic congestion will be eliminated and buses will not waste fuel on the road trapped in traffic.

⁴³ Broken windows theory. This is a working theory on how to restore law and order. The theory states that in a place that is wracked by law and order problems, one must first find the symbols of the breakdown of order. One such symbol is that of broken windows. Allowing them to stay broken reveals: a) that they have been the product of lawlessness (vandalism), and b) a lack of care and concern because they are left in such broken condition. So the first order of priority is to repair these broken windows to restore the symbols of law and order. This theory was used by former New York City Mayor Rudolf Giuliani. From the increasingly deteriorating city with lawless streets, subways, and mugger-infested Central Park, New York has now been restored to its position as an efficient, safe, and pedestrian-friendly premiere city of the world. The broken windows theory was formulated by social scientists and Harvard professors James Wilson and George Kelling.

⁴⁴ The latest SWS Survey revealed that 11.8 million Filipino families are self-rated poor (*Infra*, at note 56)

- Spark local industries and generate appropriate technology and employment in the manufacture of railed-buses and other Filipino-designed-and-operated sustainable renewable energy transport (SECRET).
- Restore pride of place and of people. Some leading pedestrianized zones in the Esplanade and Calle Real of Iloilo City and the carless roads of Pasig City have now become great sources of pride for their people.
- Less accidents and damage to property and loss of life and limb. Every year, it is estimated that 700,000 to 1.2 million people die every year because of vehicular accidents.⁴⁵ This does not include those who suffer life-changing physical injuries from maiming.
- Less use of indoor air-conditioning use because there will be less air pollution from motor vehicles. This will result in tremendous energy savings.
- Much more quality time spent with family and friends as a result of less time spent in road traffic
- More lands available for rainwater catchment ponds, wetlands and lakes that will absorb excess rainfall and thereby prevent or minimize flooding.

By the way, it will also clean the air that we breathe.

The benefits are self-evident and obvious to a fault. But then that is perhaps, “the difference between the obscure and the obvious. The obscure gets figured out sooner or later. It is the obvious that takes a lot longer to appreciate.”

Failure to Comply

Because the Laws are mandatory, their implementation is not subject to respondents’ discretion and must be complied.

Unfortunately, despite the lapse of more than five years since these Laws were issued, respondents have failed and/or refused to comply with their duty to transform the roads. There is nowhere in the Philippines has the Road Sharing Principle has been implemented by respondents Climate Change Commission, DPWH, DOTC and DILG.

On the contrary, indicative of its encrusted mindset of transportation, respondent DPWH recently announced the plan to

⁴⁵ “World report on road traffic injury prevention,” WHO (2004), p.4, last accessed February 15, 2004 < <http://whqlibdoc.who.int/publications/2004/9241562609.pdf?ua=1>>

build another gargantuan 14.8 kilometer, 26-billion peso, high-rise skyway to allegedly decongest E. de los Santos Avenue and C-5.⁴⁶

As appropriate for severely land-challenged and heavily-congested cities of the Philippines, such as that of Metropolitan Manila, our government should be copying the transportation models of the small cities of Europe. Old cities of Europe have small and narrow roads. Perforce, walking, bicycling and collective transportation systems are well put in place.

Unfortunately, respondents DOTC and DPWH have promoted the wasteful and make-believe Los Angeles model of individualized and car-based transportation system.

Where is the paradigm shift that the Laws call for? Where is the principle that “those who have less in wheels must have more in roads?”

This mind-shift, called Road Sharing Principle, is in accord with the Filipino spirit and high cultural value of sharing – the *bayanihan* – but respondents chose to ignore it and follow the Los Angeles lifestyle – a fine example of trying to fit a square peg in a round hole. This is also a perfect case of being too close to Hollywood, but too far from common sense.

SPECIFIC CAUSES OF ACTION AGAINST RESPONDENTS

Against all respondents, for failure to implement the Laws which declares the new paradigm shift in transportation.

Against the DOTC and the DPWH, for failure and neglect to implement the Road Sharing Principle⁴⁷ and shift the paradigm in the movement of men and things to favor non-motorized transportation systems.

Against the DA, for failure to implement Sec. 12(b) of EO 774 that “[p]ublic open places space along sidewalks and portions of roads and parking lots, which shall be rendered irrelevant by the mind-shift to non-motorized and collective transportation systems, shall be devoted to productive use through sustainable urban farming. ***”

⁴⁶ Bacani, Louis, “Buendia to Balintawak in 15 mins? NLEX-SLEX connector launched,” Philstar.com, last accessed February 15, 2014 <<http://www.philstar.com/nation/2014/01/22/1281777/buendia-balintawak-15-mins-nlex-slex-connector-launched>>

⁴⁷ The principle that “Those who have less in wheels must have more in roads” is a play of words inspired by the famous line uttered by the most beloved Philippine President Ramon Magsaysay. This famous line says that “Those who have less in life must have more in law.” The application of that principle in the road system means that those who do not have cars or motor vehicles (or ‘wheels’) must be given more space in the use of the public roads.

Against the DILG, for failure to coordinate with the local government units and for failure to guide them on the Road Sharing Principle.

Against the DENR, for failure to reduce air pollutant emissions, as evidenced by the country's continuing failure to achieve the guideline values under the Clean Air Act (RA 8749).

Against the DBM for failure to 'immediately make available funds from Road Users' Tax for the purposes stated in Section 9(e) of Exec. Order 774.

Against MMDA, as a necessary party without whose participation there will be no complete resolution of this action.

Against John Does, for their failure to cooperate or implement the Road Sharing Principle in their respective territorial jurisdictions.

B. Violation of Environment Laws Resulting in Environmental Damage of Such Magnitude as to Prejudice the Life, Health and Property of All Filipinos.

Respondents' failure to comply with their duty to implement the Laws has caused tremendous waste in fossil fuel consumption. This continued failure to implement the Laws has also resulted in air pollution levels in Metro Manila that is among the worst in the world.

As seen above, the dismal state of air quality in the Philippines, in particular Metro Manila, makes its citizens and their children sick, or worse, kills them. Further, poor health caused by air pollution, as well as the illnesses and deaths attributable to it, deprives Filipinos with income and resources they could have used to attend to their daily needs and that of their family.

While the threat is more prevalent in Metro Manila, the same ill effects endanger the life, health, and property of all Filipinos because air transcends territorial boundaries.

OTHER CAUSES OF ACTION

Violation of the Atmospheric Trust Reposed upon Government

In the general scheme of Life, humans have arrogated unto themselves the role of steward, the caretaker, and guardian of Life and of the Sources of Life on Earth – the Land, the Air, and the Waters. This is the single thread that weaves through the entire fabric of all spiritual beliefs and religions all over the world – that Man is the caretaker of Life on Earth.



Figure 11. Man is the steward of Nature.

However, since man cannot collectively manage their resources all at the same time, the social and legal fiction called the State has been invented. It is to the collective whole that is the State to whom these natural resources – these life-sources of Land, Air and Water – is entrusted for care. Thus, “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.”⁴⁸

But because the State is a fiction of law, the physical structure and working organism is required to make it work. Thus was invented the Government to whom the responsibility of extreme care for these Sources of Life of Land, Air and Waters, have been entrusted. These life-sources are also known as the ‘public goods’. It must be benefit and be enjoyed by the public at large at not by a single person or by a handful of persons. It also means that the Trustee—the person or entity given the trust, i.e. the Government, is duty-bound to properly care for and manage the thing held in trust – the life-sources of Land, Air and Water for the people.

To summarize, the people are the Trustors; the thing (or the *res*) placed in trust are the Life-sources of Land, Air and Water; and the Trustee is the Government and the temporal holders of Governmental power. This is the fundamental principle of stewardship, or guardianship, by human beings in general, and by the government of the world in particular.

⁴⁸ Article XII, Sec. 2 of the 1987 Constitution

The degree of care is not just for ordinary diligence. Precisely because the thing held in trust is nothing less than a vital life-support system of all Life on Earth for that matter – Air – the degree of care is that the extreme and extraordinary care as a *bonus pater familias* (good father of the family).

Respondents have failed to implement EO 774 by reducing the personal and official consumption of fossil fuels by at least 50%. Collectively, the neglect and failure of the Governments of the world has resulted in the massive discharges of heat-trapping gases into the atmosphere, resulting in the ongoing climate crisis.

By the government's failure to protect the very source of life of the Filipino people, and by their using immodest amount of fossil fuel contrary to law, the public officials have violated Article XI, Sec. 1 of the Constitution.⁴⁹

As a result, the atmospheric balance of the Earth and of The Philippines has been irreversibly disrupted. The quantity and quality of breathable air of the Philippines, especially in Metro Manila, have been seriously impaired and severely damaged.

This violation of the trust resulting in physical damage or even of moral loss is actionable in a court of law. As a matter of fact, it may even be the basis of a civil action for damages and of administrative disciplinary action.

Unequal Protection of the Laws

As explained above, while only 2 percent (2%) of the people in the Philippines own motor vehicles, they are given almost all of the road space. The remaining (98%) of the people who do not own motor vehicles are shunted aside to walk on tiny and sorry little spaces that is not even a proper sidewalk. If there is any sidewalk left at all, it is filled with obstructions, constructions, vendors, and nuisance objects that impede the proper flow of walking. In Philippine sidewalks, one cannot walk.

The 98% of the Filipinos do not own motor vehicles are discriminated by the law. While tremendous budgets are allocated for the construction and maintenance of roads for the use of motor vehicles, hardly any budget is given for proper sidewalks, bike lanes, and non-motorized transportation systems.

⁴⁹ 1987 Constitution, Article XI, Sec. 1: Public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives.

Precisely to reverse this bias were the Laws passed and issued. However, respondents have chosen to continue violating the right of the people to the equal protection of the laws.⁵⁰

Petitioners also submit that the implementation of Executive Order No. 774 would comply with the Philippines' obligations on protecting the right of citizens to the highest attainable standard of health. The International Covenant on Economic Social and Cultural Rights (ICESCR)⁵¹ and by of the Universal Declaration on Human Rights (UDHR) which declares the right of the people to a standard of living adequate for the health and well-being of individuals.

The Philippines is a party to the ICESCR and is a signatory to the UDHR. This Court has recognized that the UDHR is binding law upon the Philippines as part of the "generally accepted principles of international law".⁵²

Ecological Homicide and Violation of the People's Right to Health

Because of the pyro-maniacal propensity of humans to burn fossil fuels and release their emissions into the atmosphere, the global climate system of the Earth has gone topsy-turvy. With its ecological integrity compromised, the climate has become unstable, erratic, and the intensity and severity of the climate-related incidents are becoming more and more catastrophic.

In the Philippine setting, particularly in the heavily-populated cities of Metro Manila, Metro Cebu and its environs, Petitioners suffer the loss of health as a result of the air pollution. This is the result of Respondents' failure to curb the release of poisonous gases by the ever-increasing number of motor vehicles in the roads.

The right to life necessarily carries with the right to the life-sources of Land, Air and Waters (LAW, the 'LAW of Life'). The State's duty to protect and care for these life-sources is necessary requisite for the people's good health and well-being. This is in accord with the Constitutional principle that "The State shall protect and promote the right to health of the people..."⁵³

⁵⁰ Constitution, Art. III, Sec. 1

⁵¹ Article 12, ICESCR, and Article 25, UDHR

⁵² Article II, Sec. 2 of the 1987 Constitution [the Incorporation Clause]. (*Republic of the Philippines v. Sandiganbayan*, G.R. No. 104768, July 21, 2003, *en banc*).

⁵³ 1987 Constitution, Art. II, Sec. 15

As explained above, respondents' failure to implement the Laws has resulted in the continued pollution of the air, particularly that of Metro Manila. It is therefore a violation of the Constitutional right of the people to good health. As a matter of fact, it may even be tantamount to the deprivation of life, and of the sources of life, by the government without due process of law.

The air quality in Metro Manila and its environs is not fit to breathe for either man or beast. In the course of the trial, Petitioners will physically demonstrate this fact. Petitioners will move for the conduct of a physical examination and experiential inspection of the air quality of Metro Manila. Petitioners will ask the entire Court personnel, including of course the Chair of the Division, and all the parties in this case – the Petitioners, Respondents and their respective counsels -- to stand in the middle of E. De Los Santos Avenue (EDSA) corner Taft Avenue for 12 hours a day for 10 working days.

Only then we will all understand the true meaning of term 'Ecological Homicide,' or better yet, an "ecological suicide."

Intergenerational Responsibility and Inter-Generational Justice

As a result of the respondents' failure to implement the Laws, the heat-trapping gases discharged into the atmosphere and the consequential disruption of the entire climate system presents a clear and present danger not only to this generation but also to generations yet unborn. This violates the right of the people to a balanced and healthful ecology and the corresponding responsibility of the State and of the Government to protect the environment for present and future generations based on the principle of inter-generational responsibility. This was pronounced by the Supreme Court *en banc* as early as July 1993 in words that have resonated throughout the world:

"The day would not be too far when all else would be lost, not only for this generation but also for succeeding generations, generations which stand to inherit nothing but a parched Earth incapable of sustaining life." ⁵⁴

The Courts' words have since become prophetic.

⁵⁴ Oposa, et al. vs. Factoran, G.R. No. 101083 July 30, 1993

Thoughtless Extravagance in the Midst of Acute Public Want

Because of the respondents' failure to implement the Laws, the Philippine economy burns millions of pesos worth of fossil fuels a day. This money is burned just to fuel these gas-guzzling and poison-spewing modern-day 'horses of steel'.

Respondents themselves use motor vehicles bought by the Philippine government and paid for by the Filipino people. Respondents are also provided with a driver, and the fuel and the maintenance expenses of their cars, most probably late-model expensive Sports Utility Vehicles (SUVs). All of these expenses are also paid for by the ordinary citizens of this good country.

One full tank of fuel for their vehicles would normally be in the range of Three Thousand Pesos (P3,000)⁵⁵. This amount is equivalent to buy more than one sack of rice and feed a whole family of five (5) persons for one whole month. And yet, respondents burn said amount in their motor vehicles every time they fill-up their gas tanks to power the internal combustion engines of their motor vehicles that emit a deadly tonic of poisonous gases into the very air that we breathe. Note the irony: the motor vehicles and fuel bought and paid for by us ordinary citizens are being used to poison the very air that we breathe.

While respondents burn the oil and gas in their motor vehicles, to the tune of more than one sack of rice every time their gas tanks are filled, 11.8 million Filipino families are self-rated poor.⁵⁶ Thus, the pleasure that respondents derive from using their motor vehicles, which are paid for by ordinary citizens is "thoughtless extravagance in times of acute public want."

In the course of the trial, Petitioners will inquire from the Respondents a question the answer of which we already know. For this purpose and as an interim measure, petitioners respectfully pray that respondents be enjoined from using their motor vehicles by at least 50% of the time and of its present fuel consumption. It is also respectfully prayed that the respondents be compelled to take public transportation for the 50% of the trips for which they are enjoined from using their government-prescribed motor vehicles. Then, and only then, will they realize the daily purgatory that the ordinary people have to go through because of the lack of a good public transportation, proper sidewalks and bike lanes and of the poisonous air that they breathe.

⁵⁵ US\$ 70.00

⁵⁶ "Fourth Quarter 2013 Social Weather Survey: Families rating themselves as Mahirap or Poor at 55%; Families who were Food Poor at 41%," SWS, Last accessed February 15, 2014 <<http://www.sws.org.ph/pr20140115.htm>>

Damages Resulting From the Unjust Refusal of Public Officials to Perform Their Official Duty

“Any person suffering material or moral loss because a public servant or employee refuses without just cause, to perform his official duty may file an action for damages and other relief against the latter, without prejudice to any disciplinary administrative action that may be taken.”⁵⁷

Petitioners respectfully express their sentiment that this legal action to compel the performance of a duty enjoined by law is not against the persons of the incumbent occupants and heads of Respondents government agencies. No damages are being sought.

However, should the public officials mandated by law to perform a duty continue to fail or refuse to do so, petitioners respectfully reserve the right to file administrative, civil and criminal actions, as appropriate.



Figure 12. Those who have less in wheels must have more in the road.

RELIEF

WHEREFORE, Petitioners respectfully pray that after hearing, the Court render judgment directing:

1. Respondents DOTC, DPWH and DILG to immediately implement the Road Sharing Principle in all the roads of the Philippines by:

1.1 Dividing all the roads by at least one-half, lengthwise. One-half of the road space shall be used for all-weather

⁵⁷ Civil Code, Sec. 27

sidewalks and bicycle lanes, as well as for urban edible gardens pursuant to Sec. 12 (b) of Executive Order 774.⁵⁸

1.B The other half of the road space may be used for motorized vehicles, preferably for safe, efficient, convenient and inexpensive collective (or mass) Filipino-made transportation systems.

1.C Petitioners respectfully express their willingness to enter into a Compromise Agreement/Consent Decree with the respondents at the soonest time possible. Together with various citizens-groups, petitioners and respondents can jointly monitor the implementation of the Road Sharing Principle.

2. Respondent DBM to make available funds for the implementation of the Road Sharing Principle.

3. All the Cabinet officials and employees of the Cabinet Departments of Government, starting with the Office of the President, the Climate Change Commission, DPWH, DOTC, DILG, DENR, MMDA, etc. be immediately ordered to reduce their fuel consumption by 50% starting from the date this case is filed. Note that this should have been complied already as early as January 2010 or two (2) years from the passage of EO 774 and AO 254. They must also be compelled to take public transportation for 50% of the time.

4. Order respondents to prepare a time-bound action plan with the full participation of the petitioners' and/or their representatives. This action plan must be complete with a simple To-Do List of who will do what, when, where, how to implement the Road Sharing Principle all throughout the country. In support of the respondent-government agencies action plan, attached is a list of suggestions on how the Road Sharing Principle can be implemented (**Annex G**). In brief, the proof of concept can be shown by starting in one city, or even in one barangay, on a Sunday. If it works, it will then be easy to replicate it in other barangays and in other cities and for longer periods of time.

5. DPWH to demarcate and delineate the road right-of-way of all roads and sidewalks in the Philippines and remove all obstructions therein, if any.

Other reliefs that are just or equitable are also prayed for.

Makati for Manila, February 17, 2014.

⁵⁸ The appropriation of one-half of the roads depends on whether the roads are classified as arterial, collector, or local roads. Petitioners have access to land use and transportation experts who are willing to help in the formulation of the plan.

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List of Sources
of Photographs Used in the Petition

Figure 1	<p>Left: Bacani, Louis, “Group: Metro Manila traffic costs P140-B, bigger than corruption losses,” Philstar.com, last accessed February 16, 2014, <http://www.philstar.com/nation/2013/12/11/1266865/group-metro-manila-traffic-costs-p140-b-bigger-corruption-losses></p> <p>Right: Ranada, Pia, “Commuters to gov’t: Limit cars to half of the roads,” Rappler.com, last accessed February 16, 2014, <http://www.rappler.com/nation/50423-share-road-public-transport-air-pollution> (Right Photo; from Antonio Oposa, Jr.)</p>
Figure 2	<p>“Typhoon Yolanda weakens as it exits PH,” Rappler.com., last accessed February 16, 2014 <http://www.rappler.com/nation/special-coverage/weather-alert/43229-20131108-yolanda-5pm-update> (Photo from PAG-ASA)</p>
Figure 3	<p>Top: “Aid official: Destruction like the aftermath of a tsunami,” Rappler.com., last accessed February 16, 2014 http://www.rappler.com/nation/43352-aid-official-destruction-like-the-aftermath-of-a-tsunami (Photo by EPA/Dennis Sabangan)</p> <p>Bottom: Associated Press, et al., “10,000 dead in Tacloban,” last accessed February 16, 2014 <http://www.mb.com.ph/10000-dead-in-tacloban/> (Photo by Linus Guardian Escandor II)</p>
Figure 4	<p>“Global Analysis -2012,” NCDC.NOAA.gov, last accessed February 16, 2014, <http://www.ncdc.noaa.gov/sotc/service/global/map-percentile-mntp/201201-201209.gif></p>
Figure 5	<p>“A blanket around the earth,” NASA.gov, last accessed February 16, 2014 <http://climate.nasa.gov/system/content_pages/main_images/normPage-3.jpg></p>
Figure 6	Photographs from Antonio Oposa, Jr.
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Figure 8	<p>Blaza, Peter, “Street artists join the war on Manila smog,” last accessed February 14, 2014 <http://uk.reuters.com/article/2012/02/09/uk-green-accounting-uk-idUKTRE8181PZ20120209> (Photo from Reuters/Romeo Ranoco)</p>
Figure 9	Photograph from Antonio Oposa, Jr.
Figure 10	<p>Top: Calleja, Niña, “Metro’s traffic situation may now be monitored via smart phones, tablets,” last accessed February 16, 2014 <http://technology.inquirer.net/25629/metros-traffic-situation-may-now-be-monitored-via-smart-phones-tablets> (Photo by Grig C. Montegrande)</p> <p>Bottom: Gamil, Jaymee, “Firm vs DOTC deal doubts if Chinese supplier fits MRT,” last accessed February 16, 2014, <http://newsinfo.inquirer.net/575732/firm-vs-dotc-deal-doubts-if-chinese-supplier-fits-mrt> (Photo by Kimberly Dela Cruz)</p>
Figure 11	Photographs from Antonio Oposa, Jr.
Figure 12	