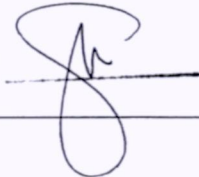


SENATE

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P.S. Res. No. 220

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Introduced by SEN. WIN GATCHALIAN

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE COMPLIANCE WITH MARITIME SAFETY STANDARDS SET BY THE MARITIME INDUSTRY AUTHORITY (MARINA), AND RELATED ISSUES ON THE EFFECTIVE IMPLEMENTATION OF OUR MARITIME TRANSPORTATION LAWS, WITH THE END VIEW OF ENACTING AMENDMENTS TO EXISTING LEGISLATIONS THAT WILL ENHANCE PROTOCOLS ON THE SAFETY AND QUALITY OF PASSENGER TRANSPORT SERVICES, PROVIDE FOR EFFECTIVE SUPERVISION AND REGULATION OF ALL WATER TRANSPORT IN THE COUNTRY AND ENSURE PROPER MOBILIZATION OF RESOURCES FOR NECESSARY MARITIME TRANSPORTATION INFRASTRUCTURE

1 **WHEREAS**, Article II, Section 5 of the 1987 Constitution declares as a
2 State policy the protection of life, liberty and property, and the promotion of
3 the general welfare for the enjoyment by all people of the blessings of
4 democracy;

5 **WHEREAS**, the archipelagic composition of the Philippines with over
6 7,000 islands surrounded by water necessarily requires Filipinos to use
7 maritime vessels, such as Roll-on Roll-off (Ro-Ro) vessels, ferries, fast crafts
8 and motorized bancas, as primary mode of transportation to travel from one
9 island to another;

10 **WHEREAS**, the Philippine Ports Authority recorded a 5.68% increase
11 in passenger traffic in our ports from 72,438,609 passengers in 2017 to
12 76,798,175 passengers in 2018;

1 **WHEREAS**, with the growing number of maritime passengers daily, it
2 is crucial that the Philippines maintains a high standard in ensuring the
3 safety of passengers travelling by water as well as adequate protocols to
4 implement the same;

5 **WHEREAS**, Sections 9 and 10 of Republic Act No. 9295, otherwise
6 known as the Domestic Shipping Development Act of 2004, accords the
7 Maritime Industry Authority (MARINA) the power to (1) set safety standards
8 for vessels and all equipment on board; (2) require compliance with standards
9 of safety of life at sea, safe manning requirements, maintenance of vessels in
10 safe and serviceable conditions, and provision of safe, adequate, efficient and
11 reliable shipping services at all times; and (3) inspect all vessels to ensure and
12 enforce compliance therewith;

13 **WHEREAS**, several incidents at sea within the Philippine territory have
14 endangered the lives of a number of passengers, even resulting to death, the
15 most recent of which being the Iloilo-Guimaras sea tragedy which capsized 3
16 boats in the Iloilo-Guimaras Strait that claimed at least 31 people,¹ eight of
17 which are teachers;²

18 **WHEREAS**, the varying number of casualties reported by media at the
19 early stage of the incident were due to unclear protocols among the emergency
20 response authorities, such as the MARINA, the Philippine Coast Guard, and
21 the Philippine Navy;³

22 **WHEREAS**, it was reported that the three ferries capsized due to a
23 squall and two of the ferries that capsized in the Iloilo-Guimaras Strait at
24 12:15 p.m. were carrying 45 and 40 passengers, below their capacity of 47
25 and 44, respectively; while the third ferry that capsized three hours later was
26 not carrying passengers and all of its 5 crew members survived;⁴

¹ San Juan, Alexandria, "Coast Guard, Marina officials relieve over Iloilo-Guimaras sea tragedy," Manila Bulletin, August 8, 2019, <https://news.mb.com.ph/2019/08/08/coast-guard-marina-officials-relieved-over-iloilo-guimaras-sea-tragedy/>

² Yap, Tara and Sadongdong, Martin, "Eight teachers dead in Iloilo-Guimaras sea tragedy," Manila Bulletin, August 5, 2019, <https://news.mb.com.ph/2019/08/04/8-teachers-dead-in-iloilo-guimaras-sea-tragedy/>

³ "Iloilo-Guimaras Strait Tragedy highlights need to refine protocols," Business World, August 6, 2019, <https://www.bworldonline.com/iloilo-guimaras-strait-tragedy-highlights-need-to-refine-protocols/>

⁴ Punzalan, Jamaine, "Squall may have caused Iloilo-Guimaras sea tragedy," August 5, 2019, <https://news.abs-cbn.com/news/08/05/19/squall-may-have-caused-iloilo-guimaras-sea-tragedy>

1 **WHEREAS**, there is a need to clarify and strengthen protocols on the
2 suspension of motorboat trips as well as emergency response coordination
3 among the concerned agencies;

4 **WHEREAS**, the growing number of maritime incidents is indicative of
5 the inadequacy of the safety standards set by MARINA and/or the lapses in
6 their implementation;

7 **WHEREAS**, these policy and implementation drawbacks support the
8 need to review MARINA's capability and capacity to enforce maritime safety
9 standards laws to ensure that we can accord the protection needed by our
10 people and that we put up the necessary improvements in transport
11 infrastructure that will support the provision of safe and secure shipping
12 services;

13 **WHEREAS**, it is imperative for the Senate to review policies set forth by
14 the Executive as it annually deliberates on the government's expenditure plan
15 for certain programs, including support for maritime transport infrastructure;

16 **NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY**
17 **RESOLVED**, to direct the appropriate Senate Committee to conduct an
18 inquiry, in aid of legislation, on the compliance with maritime safety
19 standards set by the MARINA, and related issues on the effective
20 implementation of our maritime transportation laws, with the end view of
21 enacting amendments to existing legislations that will enhance protocols on
22 the safety and quality of passenger transport services, provide for effective
23 supervision and regulation of all water transport in the country and ensure
24 proper mobilization of resources for necessary maritime transportation
25 infrastructure.

26 Adopted,


WIN GATCHALIAN