



HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH (20th) CONGRESS
First Regular Session

SENATE BILL NO. _____

Introduced by

An Act Criminalizing Ecocide and Providing Penalties for the Commission Thereof

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

Section 1. Title. This Act shall be known as the "**Ecocide Prevention Act**"

Section 2. Declaration of Policy.

It is the policy of the State to protect and preserve the environment for present and future generations. Recognizing the **irreversibility of large-scale environmental destruction**, the State declares ecocide as a crime and commits to holding perpetrators accountable, including corporations, financial institutions, and **government agencies** that facilitate, permit, or negligently fail to prevent ecocide.

The State further recognizes the **special relationship of Indigenous Peoples and local communities with ecosystems** and ensures that customary sustainable practices shall **not** be considered ecocide under this Act.

Section 3. Definition of Ecocide.

For purposes of this Act, "Ecocide" refers to any unlawful or **wanton act or omission** committed **with knowledge that there is a substantial likelihood of severe, widespread, or long-term damage to the environment**.

Section 3.1 Ecocide includes but is not limited to:

- a) **Large-scale deforestation** leading to significant biodiversity loss;
- b) **Widespread pollution** of air, water, or soil affecting human and ecosystem health;
- c) **Mass destruction of fauna and flora** due to industrial, mining, or extractive activities;

- d) **Over-exploitation of natural resources** causing significant ecological imbalance;
- e) **Ecological distortion** by introduction of destructive, parasitic, or invasive species;
- f) **Negligent regulatory approval** or issuance of permits that facilitate acts leading to ecocide.
- g) Any other acts leading to severe and long-term environmental degradation.

Section 3.2. For the purpose of this Act:

- a) **"Wanton"** means reckless disregard for environmental damage that is clearly excessive in relation to social and economic benefits anticipated.
- b) **"Severe"** means damage involving grave harm to any element of the environment, including serious threats to human life, natural, cultural, or economic resources.
- c) **"Widespread"** means damage **beyond a limited geographic area**, crossing municipal, provincial, or national boundaries, or impacting **an entire ecosystem or species**.
- d) **"Long-term"** means **irreversible** damage or harm persisting beyond **one generation** (at least 25 years) or exceeding the natural recovery capacity of the affected area.
- e) **"Knowledge"** means awareness, whether actual or constructive, that an act or omission is likely to result in severe, widespread, or long-term environmental damage. There shall be a presumption of knowledge if the environmental damage is scientifically proven or physically observable, including local or indigenous cultural methods, taking into consideration the precautionary principle.

Section 4. Prohibited Acts.

It shall be unlawful for any **person, corporation, financial institution, government agency, or entity** to:

- a) Commit acts defined as ecocide under Section 3 of this Act;
- b) Facilitate, finance, or support the commission of ecocide;
- c) Negligently allow or fail to prevent acts leading to ecocide if the person or entity has the power and responsibility to do so.
- d) Failure to faithfully implement the environmental management plan and/or to rehabilitate areas affected by the activities of the accused.

Section 5. Penalties.

Any person or entity found guilty of committing ecocide shall be punished by:

- a) Imprisonment of not less than 12 years but not more than 20 years;
- b) A fine of not less than Php 10,000,000 but not more than Php 100,000,000;
- c) Mandatory environmental rehabilitation and restoration of the affected area.
- d) In cases where the offender is a corporation or entity, the officers directly responsible for the decision-making or execution of the act shall be held liable. The corporation or entity may also face dissolution or forfeiture of its assets, cancellation of permits, and blacklisting of the corporation and its incorporators in all succeeding applications for environmental compliance certificates.

Penalties for government officials convicted of any of the prohibited acts enumerated in Section 4 shall include dismissal from service and perpetual disqualification from holding public office.

The fine shall take into consideration the ecosystem valuation of the affected area, in accordance with Republic Act No. 11995, or Philippine Ecosystem and Natural Capital Accounting System (PENCAS) Act.

No **criminal liability** shall be imposed for acts resulting in ecocide commenced prior to the enactment of this Act. However, if the destructive effect and negative environmental impact of their acts resulting in ecocide remain, responsible parties may be subject to **civil liability suits and mandatory rehabilitation and restoration obligations** as determined by the appropriate regulatory bodies and/or as ordered by the court. Failure to rehabilitate or restore shall result in criminal liability under Section 4 of this Act.

Section 6. Burden of Proof Shift.

To strengthen environmental accountability, corporations **shall bear the burden of proving** that their activities **did not cause or contribute** to ecocide. **Regulatory approvals or permits shall not serve as a defense** if actual environmental harm is proven.

Section 7. Rights of Nature.

The environment, ecosystems, and species shall have the right to **exist, persist, regenerate, and be restored**. Any **citizen, community, or organization** may **file a legal action on behalf of the environment** to enforce these rights.

Section 8. Civil Damages and Liability.

Any individual, community, or entity affected by acts of ecocide shall have the right to file a **civil suit** for damages against perpetrators, including corporations, financial institutions, and government agencies. The court may award:

- a) **Compensatory damages** for direct and indirect harm suffered by affected individuals and communities.
- b) **Restorative damages** to fund environmental rehabilitation projects.

- c) **Punitive damages** to deter future offenses, considering the severity and extent of damage.
- d) **Class-action suits** may be initiated by affected communities, Indigenous groups, or environmental organizations.

Section 9. Public Participation and Indigenous Peoples' Rights.

The State shall **ensure meaningful participation of citizens** in environmental decision-making, including:

- a) **Mandatory public hearings** before approving projects with potential ecological impact;
- b) **Free, Prior, and Informed Consent (FPIC)** for projects affecting Indigenous territories;
- c) **Access to environmental data** and legal remedies to challenge permits and projects that may cause ecocide.

Section 10. Role of Regulators and Government Agencies.

Government agencies that negligently approve or fail to prevent ecocide may be **held liable as co-defendants**. Regulators may be **charged with criminal negligence** for issuing permits or exemptions that lead to environmental destruction. Any **evidence of corruption** related to environmental approvals shall lead to **automatic investigation and prosecution**.

Section 11. Implementing Rules and Regulations.

The **Department of Environment and Natural Resources (DENR)**, **Department of Justice (DOJ)**, in coordination with the **Commission on Human Rights** and in consultation with civil society, shall **promulgate rules** to implement this Act **within 90 days** of its enactment.

Section 12. Separability Clause.

If any provision of this Act is declared unconstitutional, the remaining provisions shall continue in force.

Section 13. Repealing Clause.

All laws inconsistent with this Act are repealed or amended accordingly.

Section 14. Effectivity.

This Act shall take effect **15 days after its publication** in the Official Gazette or in at least **two (2) newspapers of general circulation**.