

# CLEAN AIR, BETTER AIR!

## A Clean Air Act Alert

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It is the dream of every citizen of every nation to breathe better air..clean air, to be exact. Our brethren OFW's deserve to breathe clean air when they step into our homeland. Unfortunately, that dream which was a reality has become a myth..or has it been a myth all along?

It is not only our brethren OFW's who deserve this but also us. We, the Filipino citizens, as well as our children deserve better health and this all has to be enforced through the Clean Air Act of the Philippines.

It is a sad myth that we cannot reach this dream of having better air in order to breathe clean air not only for our health but for the protection of our natural resources as well.

We see trucks, buses, and even cars belching out smog along the highway, people smoking in the streets, garbage stinking along the streets, chemicals from industrial plants. These are the very pollutants that destroys our chances of having cleaner and better air.

Many people from different countries have supported the different clean air acts. Former Canadian Environment Minister Rona Ambrose introduced the second Clean Air Act in mid-October 2006. The British Parliament also introduced the Clean Air Act 1956 and 1968. The United States federal government has also enacted a series of clean air acts.

Our government has implemented the Clean Air Act of the Philippines which must be the guideline to be followed.

Section 2, Article 1 of the Act states:

The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

The State shall promote and protect the global environment to attain sustainable development while recognizing the primary responsibility of local government units to deal with environmental problems.

The State recognizes that the responsibility of cleaning the habitat and environment is primarily area-based.

The State also recognizes the principle that "*polluters must pay*".

Every Filipino citizen, whether working abroad or here in the motherland, has every right to complain and coordinate with the government for the implementation of this rule.

It is then the responsibility of the State that the following rights of the citizens must be recognized and guarantee to seek the enjoyment of such rights. Among which are:

[a] The right to breathe clean air;

[b] The right to utilize and enjoy all natural resources according to the principles of sustainable development;

[c] The right to participate in the formulation, planning, implementation and monitoring of environmental policies and programs and in the decision-making process;

[d] The right to participate in the decision-making process concerning development policies, plans and programs projects or activities that may have adverse impact on the environment and public health;

[e] The right to be informed of the nature and extent of the potential hazard of any activity, undertaking or project and to be served timely notice of any significant rise in the level of pollution and the accidental or deliberate release into the atmosphere of harmful or hazardous substances;

[f] The right of access to public records which a citizen may need to exercise his or her rights effectively under this Act;

[g] The right to bring action in court or quasi-judicial bodies to enjoin all activities in violation of environmental laws and regulations, to compel the rehabilitation and cleanup of affected area, and to seek the imposition of penal sanctions against violators of environmental laws; and

[h] The right to bring action in court for compensation of personal damages resulting from the adverse environmental and public health impact of a project or activity.

Major accomplishment since 2004 have been made and such are Air Quality Monitoring, Anti-Smoke Belching, Emissions tests of vehicles prior to registration, Airshed designations, etc.

These accomplishments may only have been for the moment and we do not need to stop here. We must continually move our government for more rules and implementing guidelines for the Clean Air Act to be enforced more.

I have seen through my own eyes in the cities of Manila and Cebu that these implementing rules are not observed anymore. What then is the move of every citizen to have these enforced?

For purposes of enforcing the provisions of this Act or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts against:

(a) Any person who violates or fails to comply with the provisions of this Act or its implementing rules and regulations; or

(b) The Department or other implementing agencies with respect to orders, rules and regulations issued inconsistent with this Act; and/or

(c) Any public officer who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Act or its implementing rules and regulations; or abuses his authority in the performance of his duty; or, in any manner, improperly performs his duties under this Act or its implementing rules and regulations.

Our own lives and the lives of our children's children also depend on breathing cleaner air.

Are we to take this for granted?

On a final note, in order for us to achieve and maintain healthy air to breathe, we must do our part as citizens to strictly enforce this law and apprehend the polluters and make them pay.

"All Polluters Must Pay!"

HAPPY HOLIDAYS!