

Title: Republic of the Philippines (DENR, et al.) vs. Yap, et al. and Sacay, et al.

Facts:

Boracay Island, famed for its white sand beaches, has been occupied by several private claimants who believed they had the right to secure titles over their lands. Historically, Boracay was classified under the National Reservation Survey of Boracay Island in 1976, identifying several lots as occupied by named persons.

Presidential Proclamation No. 1801 by President Ferdinand Marcos in 1978 designated Boracay and numerous other areas as tourist zones and marine reserves under the Philippine Tourism Authority (PTA). PTA Circular No. 3-82 was subsequently issued to implement the proclamation.

Individuals led by Mayor Jose S. Yap filed a petition for declaratory relief with the Regional Trial Court (RTC) in Kalibo, Aklan, seeking judicial confirmation of imperfect titles despite Proclamation No. 1801 and PTA Circular No. 3-82. They claimed the proclamation did not prevent them from owning their lands and that they had been in possession since June 12, 1945, or earlier. The RTC ruled in favor of the respondents, and the decision was affirmed by the Court of Appeals (CA).

During the pendency of the case with the Supreme Court, President Gloria Macapagal-Arroyo issued Proclamation No. 1064 in 2006, classifying Boracay into reserved forest and agricultural land. Dr. Orlando Sacay and Wilfredo Gelito, along with, filed a petition with the Supreme Court challenging Proclamation No. 1064, asserting that it infringed on their vested rights on the island.

Issues:

The Supreme Court identified several legal issues:

1. Did Proclamation No. 1801 and PTA Circular No. 3-82 pose any legal obstacle to the respondents seeking title to their occupied lands in Boracay Island?
2. Were the areas occupied by the petitioners considered public agricultural lands, therefore entitling them to judicial confirmation of imperfect titles?
3. Did petitioners' occupants acquire vested rights of private ownership over their occupied portions of Boracay land, and was the executive reclassification of their areas as alienable and disposable indispensable for obtaining title under the Torrens system?
4. Was Proclamation No. 1064 violative of the prior vested rights to private ownership protected by the due process clause, or did it contradict land classification provisions under

existing laws?

Court's Decision:

The Supreme Court granted the petition for certiorari in G.R. No. 167707, reversing the CA Decision and denying the petition for certiorari in G.R. No. 173775.

The Court held that Boracay was unclassified land prior to 2006 and thus was public forest under PD No. 705. The tax declarations by private claimants were insufficient to show possession since June 12, 1945. Proclamation No. 1801 did not have the effect of reclassifying Boracay into an agricultural land. Furthermore, the Presidential authority under CA No. 141 to reclassify lands was properly exercised in Proclamation No. 1064.

Doctrine:

The Regalian Doctrine posits that all lands of the public domain belong to the State unless the land has been reclassified and expressly declared otherwise through a positive act such as an official proclamation, executive order, or legislative act. The onus is on individuals asserting private ownership to provide incontrovertible evidence that a land has been declared alienable and disposable.

Class Notes:

- Lands of the public domain are classified as agricultural, timber, or mineral, and only agricultural lands are alienable.
- For judicial confirmation of imperfect titles under CA No. 141, claimants must demonstrate (1) open, continuous, exclusive, and notorious possession and occupation of the land since June 12, 1945, or earlier, and (2) the land must be classified as alienable and disposable.
- The burden of proof to overcome the presumption of State ownership of the lands of the public domain rests on the claimant.
- A proclamation by the executive is necessary to reclassify lands of the public domain.
- The Regalian Doctrine, PD No. 705, and Proclamation No. 1064 must be considered in determining land disposition and ownership claims within Boracay Island.
- Investment in the property and continued possession do not equate to a vested right to land within the public domain without proper classification and confirmation of title.

Historical Background:

The legal status of Boracay Island has been long-discussed in the context of land classification in the Philippines—ranging from the Spanish colonial period's Regalian

Doctrine to American colonial land laws, and finally, to contemporary land classification under the authority of the Philippine President. The resolution of the Boracay cases reflects the evolution and current application of land law in the Philippines, balancing economic development with environmental conservation and adherence to the Regalian Doctrine.