

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

5 FEB 15 PM 2005

SENATE
PSR No. 186

FILED BY: _____

Introduced by Senator Aquilino Q. Pimentel, Jr.

RESOLUTION
CONVERTING THE SENATE AS A COMMITTEE OF THE WHOLE
TO INQUIRE INTO THE POLICY DIRECTIONS, THE FUNCTIONS AND
ACTIVITIES OF THE SECRETARY OF ENVIRONMENT AND NATURAL
RESOURCES, RELATIVE TO THE ALLEGED ILLEGAL LOGGING
OPERATIONS IN AURORA, QUEZON AND OTHER PROVINCES OF THE
COUNTRY, ILLEGAL MINING OPERATIONS, AND OTHER VIOLATIONS OF
EXISTING ENVIRONMENTAL LAWS ELSEWHERE IN THE COUNTRY.

WHEREAS, on February 9, 2005 during the period of interpellation of the proposed 2005 Budget of the Department of Environment and Natural Resources (DENR), on the alleged inefficiency and incompetence of the DENR to enforce and implement existing laws to protect and conserve the country's precarious natural resources were raised by Senator Jamby A.S. Madrigal;

WHEREAS, there appears to be continuous illegal logging operations and transport of logs in Quezon, Aurora and in other provinces, despite the existence of a total log ban that may involve officials of the DENR;

WHEREAS, the prevalence of illegal logging and transport of logs and other forest products, and the continued issuances and grant of permits and concessions by the DENR, had contributed to the loss of human lives and properties in the Provinces of Aurora, Quezon and Nueva Ecija in the aftermath of the December 2004 Storm that hit the country;

WHEREAS, the DENR appears to have failed to act on the petitions of concerned citizens and non-government organizations on such practices, thus, contributing to the worsening degradation of our remaining natural forest;

WHEREAS, such allegations of inefficiency and incompetence on the part of the DENR encompass mining and quarrying permits to a number of mining firms in various parts of the country, who have encroached on watershed areas, ancestral domains and natural forest, and who continue to violate existing environmental laws;

WHEREAS, Rule XLVI, Section 125 of the Rules of the Senate, provides, in part: "Any Department Secretary, Cabinet Member, the Governor of Bangko Sentral ng Pilipinas or head of a government financial institution may be summoned by the Senate, through a resolution adopted by it, or upon its own initiative with the consent of the President of the Philippines, appear before the Senate, for information on any matter pertaining to his department."

WHEREAS, Senator Jamby A.S.Madrigal shortened her interpellation of the DENR Secretary – with the conformity of the Senate President and other members of the chamber with the understanding that she would be allowed to seek answers from the DENR Secretary before the Senate constituted as a committee of the whole mainly on the following issues:

1. What is the policy of the Department of Environment and Natural Resources (DENR) on the cutting and transfer of logs and other forest products from one province to another?
2. Does the DENR have an inventory of all logs that were harvested during the Aurora and Quezon tragedy?
3. Where are these logs now?
4. How many logs and other forest products are still in the DENR's custody? How are they being disposed of?
5. Is there any agreement executed by the DENR and KASIVO Corporation for the retrieval and inventory of logs which were harvested from the Province of Aurora and Quezon?
6. Did the agreement with Kasivo Corporation pass through public bidding?
7. Last 5 February, P100 Million worth of lumber was seized aboard a ship off the coast of Isla Verde near Batangas. The MV B&E Tres was on its way to North Harbor in Manila from Dapitan in Aurora Province. The boat was carrying 3,335 cubic meters of processed lawaan in 2,010 bundles. According to the captain of the vessel, they had a permit to transport the wood. The shipper's name was *LUZON MAHOGANY TIMBER INC.* Does this have the approval of the Secretary of DENR?
8. Was there any permit issued to Luzon Mahogany Timber Inc., to ship these products? Who issued this permit and why?
9. Aside from the M/V B&E Tres, there was also another boat – the M/V B&E Cinco, carrying more than a thousand logs from Villanueva, Misamis Oriental, was also intercepted but was subsequently released. Why was this so?
10. Does the current policy on log ban provide for any exemptions? What are these exemptions?
12. What is the policy of the DENR on mining?
13. How does the DENR handle complaints/petitions for cancellation of mineral and production sharing agreements by concerned citizens?
14. Is the DENR tolerating this action of the mineral firm?

NOW, THEREFORE, be it resolved, as the Senate hereby resolves to convert itself into a *Committee of the Whole*:

1. Enable the members of the Senate to discuss the issues as stated above; and
2. That end, to summon the Secretary of Environment and Natural Resources to appear personally on Wednesday, February 23, 2005 at 3 o'clock in the afternoon before the Senate as a *Committee of the Whole* to answer questions of the senators relevant or material to the matters raised herein
3. To do any other act necessary or desirable to carry out the objectives of this Resolution.

Adopted,


AQUILINO Q. PIMENTEL, JR.