

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

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SENATE
Resolution No. 375

RECEIVED BY: *[Signature]*

Introduced by Senators M. A. Madrigal and Aquilino Q. Pimentel, Jr.

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POSSIBLE DISPLACEMENT OF INDIGENOUS PEOPLES, PARTICULARLY THE MANOBOS IN THEIR ANCESTRAL DOMAIN IN NORTHERN SAMAR, IN THE LIGHT OF THE ACTION MADE BY THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES IN LIFTING THE SUSPENSION OF THE TIMBER LICENSE AGREEMENT OF SAN JOSE TIMBER CORPORATION DESPITE THE FACT THAT THE AREA COVERED BY THE SAID AGREEMENT IS A FOREST RESERVE AND A PROTECTED AREA IN THE ISLAND OF SAMAR, WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION THEREIN.

WHEREAS, San Jose Timber Corporation (SJTC), with properties in Maslog, Eastern Samar and Las Navas, Northern Samar, was issued a timber license agreement or TLA No. 118 on 10 July 1972, covering an area of 45,615 hectares with an annual allowable cut or AAC of 101,095 cubic meters set to expire on 30 June 1982;

WHEREAS, on 23 September 1981, the allowable cut of SJTC was reduced from 101,095 cubic meters to 76,600 cubic meters, based on the 5% timber inventory;

WHEREAS, on 05 July 1982, then Director of the Bureau of Forestry Development, Edmundo V. Cortes, allowed SJTC to continue logging operations until 30 September 1982 within the unlogged portion of the area with an AAC of 15,000 cubic meters, which was automatically cancelled upon renewal of TLA No. 118 on 15 September 1982 under TLA No. 118-1;

WHEREAS, on 03 October 1985, the land area of another company, Dolores Timber Corporation, under TLA No. 258 covering 48,930 hectares situated in the provinces of Western and Eastern Samar, was consolidated with that of SJTC;

WHEREAS, with the aforesaid consolidation, the area of SJTC increased from 46,840 hectares to 95,770 hectares and the AAC from 60,000 cubic meters to 75,000 cubic meters;

WHEREAS, on 08 February 1989, the island of Samar was placed under logging moratorium by then DENR Secretary Fulgencio Factoran, pursuant to the creation of a Study Team, by virtue of DENR Special Order No. 185, at the onset of the floods that befell Samar at that time;

WHEREAS, it was imperative then that a comprehensive study be conducted to determine the extent of remaining forest resources and a sustainable rate of forest extraction to safeguard the ecological balance in the island, and that while the study was on-going, all logging operations in the island of Samar were suspended, including the movement of logs, lumber and other wood products out of the island effective that day the moratorium was issued up to 30 May 1989;

WHEREAS, on 14 December 1999, the rehabilitation receiver of SJTC wrote then DENR Secretary Antonio Cerilles to request for the lifting of the moratorium;

WHEREAS, similar letters were repeatedly sent to succeeding DENR secretaries, Heherson Alvarez and Elisea G. Gozun, reiterating SJTC's request for the lifting of the moratorium order;

WHEREAS, on 21 January 2004, then DENR Undersecretary for Field Operations Renato A. Rueda wrote SJTC to inform them of the denial of their request because the licensed area has now become part of the Samar Island Nature Park (SINP) under Proclamation No. 442 dated 13 August 2003;

WHEREAS, on 11 July 2005, SJTC made a letter-request to the Office of the DENR Secretary for the possibility of lifting the continued suspension of TLA No. 118;

WHEREAS, on 15 August 2005, incumbent DENR Secretary Michael T. Defensor issued an order allowing SJTC to pursue its rights and activities under its TLA No. 118 until 30 June 2007, with an extension of the period of said TLA equivalent to the time that elapsed from 31 May 1989 until promulgation of the Order;

WHEREAS, this action by the incumbent Secretary of the DENR may displace indigenous peoples in their ancestral domains in Northern Samar, and prejudice not only their rights and interest over their land, but also their health, safety and well-being;

WHEREAS, the members of the clergy led by the three (3) Catholic Bishops in the province of Northern Samar, and concerned non-government organizations and public officials of the province have expressed their opposition to the said order, in the light of the adverse effects it will cause to the people of Northern Samar, including our indigenous brothers and sisters;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, TO DIRECT THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POSSIBLE DISPLACEMENT OF INDIGENOUS PEOPLES, PARTICULARLY THE MANOBOS IN THEIR ANCESTRAL DOMAIN IN NORTHERN SAMAR, IN THE LIGHT OF THE ACTION MADE BY THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES IN LIFTING THE SUSPENSION OF THE TIMBER LICENSE AGREEMENT OF SAN JOSE TIMBER CORPORATION DESPITE THE FACT THAT THE AREA COVERED BY THE SAID AGREEMENT IS A FOREST RESERVE AND A PROTECTED AREA IN THE ISLAND OF SAMAR, WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION THEREIN.

Adopted,


M. A. MADRIGAL

