

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

7 NOV 19 1995

SENATE

RECEIVED BY: 

PS RES. NO. 209

INTRODUCED BY SENATOR COMPAÑERA PIA S. CAYETANO

A RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO INVESTIGATE, IN AID OF LEGISLATION, THE ALLEGED VIOLATION OF REPUBLIC ACT NO. 7076 OR THE PEOPLE'S SMALL SCALE MINING ACT OF 1991, PARTICULARLY THE USE OF LARGE-SCALE MINING PRACTICES BY SMALL-SCALE MINING COMPANIES

Whereas, Article II, Section 18 of the 1987 Constitution affirms labor as the primary social economic force of the state and shall protect the rights of workers and promote their welfare;

Whereas, Republic Act No. 7076 or the People's Small-scale Mining Act of 1991 was enacted into law on 27 June 1991;

Whereas, RA No. 7076 declares that it is the policy of the state to promote, develop, protect and rationalize viable small-scale mining activities in order to generate more employment opportunities and provide an equitable sharing of the nation's wealth and natural resources;

Whereas, the People's Small-scale Mining Act of 1991 defines small-scale mining as mining activities that rely heavily on manual labor using simple tools and methods and do not use explosives or heavy mining equipment;

Whereas, there are reports of alleged violations of this Act particularly the use of large-scale mining practices by small-scale mining companies;

Whereas, in contrast to small-scale mining, large-scale mining operations use huge bulldozers and excavators to extract the metals and minerals from the soil and utilize chemicals such as cyanide, mercury and methyl mercury to amalgamate the extractions;

Whereas, there are reports that a mining company in the town of San Fernando in Sibuyan Island has been using heavy equipment to mine ore when its mining project is registered as a small-scale mining activity;

Whereas, another news article reports that big mining companies in Palawan covertly apply for small-scale permit to start up large-scale mining operations because it is easier to acquire compared to large-scale permits;

Whereas, the Department of Environment and Natural Resources (DENR) reports that many small-scale miners exceed the extraction limits imposed by the law where the production can only cover an area not exceeding 20 hectares for two years;

Whereas, these alleged violation of the People's Small-scale Mining Act causes the deprivation of rights and curtailment of the welfare of legitimate small-scale miners resulting in unequal and unfair mining activity;

Whereas, the use of heavy equipment in the exploration and extraction of mineral resources under the guise of small-scale mining application may endanger not only small-scale laborers but also the environment;

Whereas, there are widespread calls from citizens in affected areas and from various non-government organizations to ban large-scale mining in small-scale mining areas;


Whereas, many green organizations further urge the administration to support and develop the local small-scale mining sector and control the entry of foreign mining firms;

Whereas, as of November 2005, the DENR Mines and Geosciences Bureau has issued a total of 383 mining permits nationwide and an additional 2,229 mining applications are under processing;

Whereas, in order to protect and preserve our environment given the apparent detrimental effects of alleged violations of RA No. 7076, it is necessary to conduct a Senate investigation and inquiry on the said issue;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate of the Philippines direct the Committee on Environment and Natural Resources to investigate, in aid of legislation, the alleged violation of Republic Act No. 7076 or the People's Small-scale Mining Act of 1991 particularly the use of large-scale mining practices by small-scale mining companies.

Adopted,


COMPANERA PIA S. CAYETANO