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SENATE

P. S. Res. No. 213

Introduced by Senator M.A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE CONTINUING DISPLACEMENT AND HARASSMENT OF INDIGENOUS PEOPLES IN THE PROVINCES OF SURIGAO DEL SUR, AGUSAN DEL SUR, DAVAO ORIENTAL AND COMPOSTELA VALLEY DUE TO THE RAMPANT LOGGING OPERATIONS OF PICOP RESOURCES INC., WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION

WHEREAS PICOP Resources Inc. (PICOP) is the holder of multiple forest management agreements and operates one of the country's largest logging concessions;

WHEREAS PICOP's logging concession in the provinces of Surigao del Sur and Agusan del Sur, as well as Davao Oriental and Compostela Valley, reportedly cover an aggregate forest land area of about 146,000 hectares;

WHEREAS various environmental, religious and indigenous people's organizations have continually opposed PICOP's logging operations due to reported and repeated violations of mining and other environmental laws, as well as provisions of the Indigenous People's Rights Act (IPRA) and other pertinent laws;

WHEREAS the Tribal Community Association of the Philippines (TRICAP), in particular, has vehemently opposed PICOP's logging operations by reason of the latter's adamant and continued refusal to recognize and exclude the so-called "prohibited areas" consisting of about 28,125 hectares, including 17,112 hectares which are classified as "ancestral domain areas" by virtue of a Certificate of Ancestral Domain Claim (CADC 95);

WHEREAS PICOP's unlawful and unjust refusal to recognize the rights of indigenous cultural communities to their ancestral domain has resulted in the massive displacement and harassment of affected communities such as the


Manobos, Mamanwas, Mandayas, Bunawans and Kamayo Lumads, who have been residing in the affected provinces since time immemorial;

WHEREAS the increasing and alarming reports of PICOP's violations of Philippine laws and, more importantly, of the fundamental rights of our indigenous peoples, if proven to be well-founded, may constitute sufficient ground for the suspension, if not outright revocation, of PICOP's forest management agreements;

WHEREAS there is moreover an imperative need to look into the aforesaid reports in order to ascertain the sufficiency or adequacy, as well as effectivity, of the present laws in protecting the rights of members of cultural communities under the 1987 Constitution, the IPRA and other relevant laws;

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, into the continuing displacement and harassment of indigenous peoples in the provinces of Surigao del Sur, Agusan del Sur, Davao Oriental and Compostela Valley due to the rampant logging operations of PICOP Resources Inc., with the end in view of enacting remedial legislation.

Adopted,


M. A. MADRIGAL