


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SENATE
P. S. RES. NO. 893

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Introduced by Sen. M. A. Madrigal

RESOLUTION

DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO INVESTIGATE, IN AID OF LEGISLATION, THE BLAST MINING ACTIVITIES OF T.V.I. RESOURCES DEVELOPMENT PHILIPPINES (TVIRD) IN MOUNT CANATUAN, SIOCON, ZAMBOANGA DEL NORTE WHICH HAVE EXTENSIVELY DAMAGED THE ENVIRONMENT AND DESECRATED THE SUBANEN ANCESTRAL DOMAIN THEREBY ENDANGERING THEIR LIVES AND LIVELIHOOD

WHEREAS Article II, Section 22 of the 1987 Constitution provides that "the State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development";

WHEREAS Article XII, Section 5 of the Constitution further provides that "the State, subject to the provisions of this Constitution and national development policies and programs, shall protect the rights of indigenous cultural communities to their ancestral lands to ensure their economic, social, and cultural well-being";

WHEREAS on 21 October 1997, the Department of Environment and Natural Resources (DENR) issued a Certificate of Ancestral Domain Claim (CADC) No. R09-CADC-113 to the Subanens, covering an area of 6,523.689 hectares in Siocon, Zamboanga del Norte;

WHEREAS on 12 June 2003, the National Commission on Indigenous Peoples (NCIP) awarded a Certificate of Ancestral Domain Title (CADT) to the Subanen people, covering 8,213 hectares in Siocon, Zamboanga del Norte;

WHEREAS TVI Resources Development (Philippines), formerly the Canadian mining firm Toronto Ventures, Inc., was awarded an MPSA spanning 508.34 hectares inside the ancestral domain of the Subanen people;

WHEREAS the TVIRD continues to employ various means of harassment and intimidation, including the use of paramilitary personnel, to drive away the Subanens from their ancestral lands thereby weakening opposition to mining activities in the area;

WHEREAS the mining project of the TVIRD never received the consent of the Subanens, even during the Free, Prior and Informed Consent (FPIC) process which was conducted by the NCIP on 17 June 2007;

WHEREAS according to reports, TVIRD started dynamiting parts of Mount Canatuan, sacred to the Subanens, as early as 19 January 2009, claiming that the operation was part of a sulphide project;

WHEREAS the mine blasts and drilling have damaged several houses of residents and the Subanen's sacred grounds;

WHEREAS Subanen tribal leaders declare that the blasting activities of TVIRD are illegal and done without prior notice and consent of the indigenous community;

WHEREAS the Subanens continue to resist all TVIRD activities in the ancestral domain;

WHEREAS to protect the Subanen people, it is incumbent upon the legislature to look into the alleged violations of the IPRA law by TVIRD which may constitute sufficient ground for the suspension or revocation of the MPSA awarded to TVIRD;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the Committee on Cultural Communities to investigate, in aid of legislation, the blast mining activities of TVI Resources Development Philippines in Mount Canatuan, Siocon, Zamboanga del Norte which have extensively damaged the environment and desecrated the Subanen ancestral domain thereby endangering their lives and livelihood.

Adopted,

A handwritten signature in black ink, appearing to read 'M.A. Madrigal', with a long horizontal flourish extending to the right.

M.A. MADRIGAL