


9 SEP 29 P3:49

SENATE  
P. S. R. No. 1380

RECEIVED BY 

---

Introduced by Senator Miriam Defensor Santiago

---

RESOLUTION  
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,  
IN AID OF LEGISLATION, ON THE PERSISTENCE OF ILLEGAL LOGGING DUE  
TO THE RAMPANT AND UNREGULATED USE OF CHAINSAWS

WHEREAS, the Constitution, Article 2, Section 16 provides: "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, Republic Act 9175 otherwise known as the Chainsaw Act of 2002 provides that:

"xxx The State shall pursue an aggressive forest protection program geared towards eliminating illegal logging and other forms of forest destruction which are being facilitated with the use of chain saws. The State shall therefore regulate the ownership, possession, sale, transfer, importation and/or use of chain saws to prevent them from being used in illegal logging or unauthorized clearing of forests";

WHEREAS, Section 7 (4) of the same Act provides for penalties for the actual unlawful use of chain saw:

"xxx Any person who is found to be in possession of a chain saw and uses the same to cut trees and timber in forest land or elsewhere except as authorized by the Department shall be penalized with imprisonment of six (6) years and one (1) day to eight (8) years or a fine of not less than Thirty thousand pesos (P30,000.00) but not more than Fifty thousand pesos (P50,000.00) or both at the discretion of the court without prejudice to being prosecuted for a separate offense that may have been simultaneously committed. The chain saw unlawfully used shall be likewise confiscated in favor of the government";

WHEREAS, it was reported in the 19 September 2009 article of the *Philippine Daily Inquirer* that rampant and unregulated use of chainsaws continue to denude the region's forests;

WHEREAS, based on records from the Department of Environment and Natural Resources (DENR), 1.9 million cubic meters of illegally cut timber, worth P11.5 million, have been seized in 236 operations in 2008; of this, 1.5 million cu m (80 percent) were seized in Isabela, in line with the crackdown launched by the provincial government against illegal logging inside the Northern Sierra Madre Natural Park;

WHEREAS, according to the Regional Development Council (RDC) in Cagayan Valley, the volume of forest products hauled in 2008 was nearly four times the combined value of those seized in 2007 and 2006;

WHEREAS, records showed Cagayan Valley's forest cover, about 1.2 million hectares, is second biggest among the country's 17 regions and is host to five major watersheds;

WHEREAS, according to Bishop Ramon Villena, RDC chairman, one main culprit in these illegal logging activities is the rampant use of chainsaws; even if there is an existing law but it is not fully implemented, the problem of illegal logging persists;

WHEREAS, the problem was aggravated by government personnel, who either have been turning a blind eye on tree-cutting or have been protecting illegal loggers;

WHEREAS, according to the report and resolution submitted by RDC to Environment Secretary Lito Atienza, only 372 chainsaws have been registered with DENR since 2006 and ever since the law took effect in 2003, only 22 chainsaws have been seized;

WHEREAS, it is estimated that thousands more chainsaw units are in the region and the reported seizure of the units is therefore not reflective of the actual number illegally held or used;

WHEREAS, this inefficient implementation maybe due to the fact that the law only requires registration for holders of chainsaws who have tree orchards, timber licenses, or community-based forest management agreements, and those not covered may have just been keeping their chainsaws at home;

WHEREAS, much remains to be done to attain the objectives of the Chainsaw Act and to a large extent, the problem lies in its enforcement and implementation gaps involving the regulation and monitoring provisions of the law need to be addressed;

WHEREAS, it is imperative for Congress to strengthen the Chainsaw Act of 2002 by amending its provisions and increasing the penalties in order to deter loggers from violating the Act;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate Committee to conduct an inquiry in aid of legislation, on the persistence of illegal logging due to the rampant and unregulated use of chainsaws.

Adopted,

  
MIRIAM DEFENSOR SANTIAGO

/dpm