


THIRTEENTH CONGRESS )  
OF THE REPUBLIC OF THE PHILIPPINES )  
THIRD REGULAR SESSION )

6 JUL 25 P4:22

**SENATE**  
P.S. Resolution No. 513

RECEIVED BY: 

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*Introduced by Senator M.A. Madrigal*

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**RESOLUTION**

**DIRECTING THE COMMITTEE ON CULTURAL COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE REPORTED HUMAN RIGHTS VIOLATIONS PERPETRATED BY TORONTO VENTURES, INC. UPON MEMBERS OF THE SUBANEN CULTURAL COMMUNITY IN ZAMBOANGA DEL NORTE, WITH THE END IN VIEW OF ENACTING REMEDIAL LEGISLATION.**

**WHEREAS**, Article II, Section 22 of the 1987 Constitution provides that “(t)he 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 “(t)he 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**, Section 2 of Republic Act 8371, otherwise known as the Indigenous Peoples Rights Act of 1997 (IPRA), affirms that “(t)he State shall recognize, respect and protect the rights of (indigenous peoples) to preserve and develop their cultures, traditions and institutions,” and that “(i)t shall consider these rights in the formulation of national laws and policies”;

**WHEREAS**, despite the enactment of the IPRA, violations of the human rights of our indigenous people continues to pervade, such as in Canatuan, Zamboanga Del Norte;

**WHEREAS**, Toronto Ventures, Inc. (“TVI”), a Canadian mining firm, presently holds a Mineral Production Sharing Agreement (“MPSA”) with the Philippine government covering a mining concession of 508 hectares within the 6,523-hectare Subanen ancestral domain in Canatuan;

**WHEREAS**, various environmental groups and indigenous people’s organizations have continually opposed TVI’s mining operations due to TVI’s reported violations of mining and other environmental laws, as well as provisions of the IPRA and other pertinent laws;

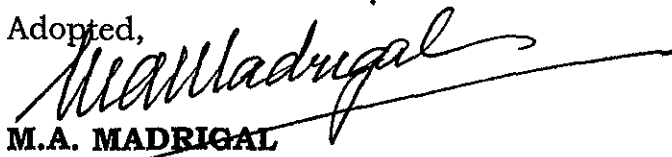
**WHEREAS**, TVI has recently been accused of committing serious violations of human rights when it allegedly sent security men, who were identified as members of the Special Citizen Armed Auxiliary (SCAA) military force, to intimidate and beat up a couple, Loloy and Manolita Galvez, and destroy the farms of Subanen tribesmen opposing the company's operations in Siocon town;

**WHEREAS**, the increasing and alarming reports of TVI's violations of our laws and, more importantly, of our citizens' most fundamental rights, if proven to be well-founded, may constitute sufficient ground for the suspension and/or revocation of the MPSA awarded to TVI;

**WHEREAS**, there is further 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 reported human rights violations perpetrated by Toronto Ventures, Inc. upon members of the Subanen cultural community in Zamboanga del Norte, with the end in view of enacting remedial legislation.*

Adopted,

  
**M.A. MADRIGAL**