

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

6 JUL 25 P4:22

SENATE  
P.S. Resolution No. 514

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 CONTINUING DISPLACEMENT OF INDIGENOUS PEOPLES IN THE PROVINCES OF SURIGAO DEL SUR AND AGUSAN DEL SUR DUE TO THE RAMPANT LOGGING OPERATIONS OF PICOP RESOURCES, INC., 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 "*the 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**, PICOP Resources, Inc. (PICOP) is the holder of multiple forest management agreements, namely: PTLA 47, IFMA 28, IFMA 35 and the former TLA 43 that was converted into an IFMA (Integrated Forest Management Agreement);

**WHEREAS**, PICOP's concession areas, situated in the provinces of Surigao del Sur and Agusan del Sur, as well as Davao Norte and Davao Oriental, 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 TVI's reported 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 TLA 43's conversion into an IFMA on account of PICOP's adamant and continued refusal to recognize and exclude the so-called "prohibited areas" consisting of about 28,125 hectares, including 17,112 hectares of 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 have resulted in the massive displacement of affected communities such as the *Manabos* and *Kamayo Lumads* of Surigao del Sur and Agusan del Sur;

**WHEREAS**, the increasing and alarming reports of PICOP's violations of our 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 and/or revocation of PICOP's forest management agreements;

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

Adopted,

  
**M.A. MADRIGAL**