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Introduced by Senator Miriam Defensor Santiago

RESOLUTION
CONDEMNING THE MASSACRE OF A TRIBAL FAMILY AND DIRECTING THE
PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF
LEGISLATION, ON THE CONTINUING HUMAN RIGHTS VIOLATIONS ALLEGEDLY
PERPETRATED BY THE MILITARY AGAINST RESIDENTS OF BONG MAL, SOUTH
COTABATO WHO ACTIVELY OPPOSE THE TAPAKAN GOLD-COPPER PROJECT

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

WHEREAS, the Constitution, Article 2, Section 22 further provides: “The State recognizes and promotes the right of indigenous cultural communities within the framework of national unity and development”;

WHEREAS, Republic Act No. 8371, also known as the Indigenous Peoples Rights Act (IPRA) of 1997, recognizes further the indigenous peoples’ (IPs) right to develop their lands and natural resources within their ancestral domains, subject to their free, prior, and informed consent (FPIC);

WHEREAS, based on the 18 October 2012 report in Bulatlat.com, soldiers of the 27th Infantry Brigade (IB) of the Philippine Army allegedly raided the house of anti-mining advocate Daguil Capion, which resulted in the death of three other civilians: Juvy Capion, Pop Capion, and John;

WHEREAS, based on the report by Alyansa Tigil Mina (ATM), an anti-mining organization, the Bong Mal community has been opposing the Tampakan Copper-Gold Project of SaXstrata’s Sagittarius Mines, Inc. (SMI) since the beginning, and residents have been at the receiving end of continuing human rights violations;

WHEREAS, Bong Mal residents have allegedly been subjected to various forms of physical and psychological violence by military elements who demolished houses and the community’s makeshift warehouse where residents stored harvested goods;

WHEREAS, various media reports also revealed that the SMI has been constructing infrastructure facilities in Kiblawan, particularly in Bong Mal and Kimlawis villages in support of its Tampakan mining project and Bong Mal is said to be an important gateway for SMI;

WHEREAS, the Tampakan project is reportedly the site of the largest underdeveloped copper and gold deposits in Southeast Asia and the copper reserves of Tampakan are estimated to be between 13.9 to 15 million metric tons while gold is said to be between 16.2 to 17.9 million ounces;

WHEREAS, it was reported that an estimated 2,600 families or 4,000 individuals will be dislocated due to the Tampakan project; these residents are mostly members of the B'laan tribe who live in the communities targeted for mining operations;

WHEREAS, it is the responsibility of the State, through its law enforcement and military agents, to preserve peace in the indigenous cultural communities and oversee the effective implementation of these mining regulations;

WHEREAS, it is the height of impunity when those who are in charge of enforcing the laws are the same people who violate them;

WHEREFORE, be it hereby resolved by the Philippine Senate, to condemn the brutal massacre of a tribal family and to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on the continuing human rights violations allegedly perpetrated by the military against residents of Bong Mal, South Cotabato who actively oppose the Tampakan Gold-Copper Project.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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