



Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila



Twentieth Congress  
First Regular Session

HOUSE BILL NO. 4616

---

**Introduced by Representative Carlos Andes Loria**

---

### **EXPLANATORY NOTE**

Rapu-Rapu is a small island municipality in the Province of Albay that has long been recognized for its rich coastal fisheries and natural resources. However, its history is also marked by decades of environmental degradation and socio-economic disruption caused by extractive activities, particularly large-scale mining.

As early as the American colonial period, coal was mined in neighboring Batan Island. During World War II, the Japanese Imperial Army extracted gold, copper, and zinc in Barangay Sta. Barbara. From the 1940s to the 1970s, the Hixbar Mining Company operated in the area, leaving behind rivers contaminated by acid mine drainage and landscapes stripped of vegetation, environmental scars that remain visible decades later.

In the 1990s, modern mining returned when foreign investors acquired rights to develop the Rapu-Rapu Polymetallic Project. The mine, operated by Lafayette Philippines, Inc., was one of the first fully foreign-owned mining ventures after the enactment of the Philippine Mining Act of 1995. In 2005, barely four months into its commercial operations, the mine suffered two cyanide-laden tailings spills that caused widespread fish kills and devastated the local fisheries-based economy.

Subsequent government investigations and a fact-finding commission chaired by Bishop Arturo Bastes confirmed that Lafayette's operations

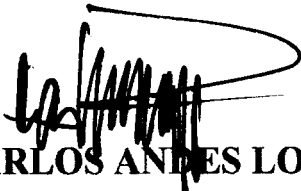
endangered Rapu-Rapu's fragile island ecosystem. Despite temporary suspensions and remediation attempts, the mining operation later managed by Korean and Malaysian interests continued until 2013. By then, the island's marine life, agricultural production, and freshwater resources had suffered irreversible damage, and many families were forced to rely on food aid and alternative livelihoods.

The government, through the Department of Environment and Natural Resources (DENR) and the Mines and Geosciences Bureau (MGB), required the company to undertake a Final Mine Rehabilitation and Decommissioning Plan. Between 2014 and 2022, nearly ₱654 million was spent to rehabilitate the 180-hectare mine site. Efforts included acid water treatment, slope stabilization, reforestation, and the construction of a bioreactor. Yet, challenges persist. Acidic soils hinder revegetation, marine ecosystems remain in recovery, and many livelihoods have not returned to pre-mining levels.

This bill seeks to institutionalize the rehabilitation and socio-economic development in the Municipality of Rapu-Rapu. It aims to ensure that mine rehabilitation is fully completed and that affected communities are supported through environmental restoration, livelihood diversification, resilient infrastructure, and inclusive governance. The proposed Rapu-Rapu Rehabilitation and Socio-Economic Development Council will coordinate all program components, while a Joint Congressional Oversight Committee will monitor implementation and uphold accountability.

Rapu-Rapu's story is a cautionary tale of what happens when environmental oversight is weak and the costs of development are externalized to marginalized communities. But it is also an opportunity for healing and innovation. With proper planning, the former mine site can be transformed into an ecotourism and agro-forestry zone, symbolizing not only recovery, but resilience and renewal.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

  
CARLOS ANDES LORIA



1 activities are immediately addressed to restore the living and ecological pre-  
2 mining conditions of the affected areas.

3 SEC. 3. **Objectives.** – This Act shall pursue the following objectives:

4 a. Ensure full and transparent rehabilitation and ecological restoration of  
5 mining-affected areas in the Municipality of Rapu-Rapu, Province of  
6 Albay;

7 b. Provide support for sustainable livelihood opportunities for affected  
8 communities, particularly in the fisheries and agriculture sectors;

9 c. Promote environmental protection, eco-tourism, and resilient  
10 infrastructure; and

11 d. Strengthen local governance capacity in resource management and  
12 sustainable development.

13 SEC. 4. **Rehabilitation and Socio-Economic Development Program.** –

14 The Rehabilitation and Socio-Economic Development Program, hereinafter  
15 referred to as the “Program,” of the mining sites and the whole Municipality of  
16 Rapu-Rapu, Province of Albay, is established. The Program must be  
17 comprehensive and include the following:

18 a. *Environmental Restoration* – Restore the mining sites and affected  
19 areas, to the fullest extent possible, to their original conditions,  
20 including the treatment of soil and water, and regeneration of watershed  
21 and coastal resources, if necessary.

- 1           b. *Livelihood Diversification* – Provide sustainable livelihood support in  
2           fisheries and aquaculture, agro-forestry and climate-smart agriculture,  
3           handicrafts, eco-tourism enterprises, and renewable energy micro-  
4           projects, including access to credit, market linkage, and enterprise  
5           development services;
- 6           c. *Infrastructure* – Construct or rehabilitate public infrastructure such as  
7           roads, bridges, potable water systems, coastal infrastructure, power and  
8           communications, schools, and health facilities;
- 9           d. *Health and Social Services* – Provide access to essential services and  
10          basic needs, promote health and well-being and support the vulnerable  
11          sectors of the population;
- 12          e. *Capacity-Building and Education* – Provide technical and vocational  
13          training, environmental education, and scholarships for youth and  
14          displaced workers;
- 15          f. *Research, Development, and Innovation* – Study and implement soil  
16          remediation, marine recovery, acid-tolerant revegetation, climate risks,  
17          and sustainable resource management in small-island ecosystems; and
- 18          g. *Reporting and Transparency* – Establish a public information system  
19          to disseminate the Program plans, budgets, contracts, status, and results  
20          of its implementation.

21           **SEC. 5. *Rehabilitation and Socio-Economic Development Council.*** – The  
22   Rapu-Rapu Rehabilitation and Socio-Economic Development Council,

1 hereinafter referred to as the “*Council*,” which shall serve as the lead  
2 coordinating body for the formulation and implementation of the Program, is  
3 created. The Council is composed of the:

- 4 a. Governor of the Province of Albay, as Chairperson;
- 5 b. Secretary of Economy, Planning and Development, or duly the authorized  
6 representative, as Vice-Chairperson;
- 7 c. Assistant Secretary for Mining Concerns or the Executive Director of the  
8 Mines and Geosciences Bureau;
- 9 d. Mayor of the Municipality of Rapu-Rapu, Albay;
- 10 e. Regional Director of the Mines and Geosciences Bureau; and
- 11 f. Regional Directors for Region V, or their duly authorized representatives,  
12 of the Departments of Agriculture, Tourism, Science and Technology,  
13 Public Works and Highways, Social Welfare and Development, Trade and  
14 Industry, Health, Bureau of Fisheries and Aquatic Resources, and  
15 Technical Education and Skills Development Authority, as members.

16 The Council may invite as resource persons representatives from fisherfolk  
17 or farmer cooperatives, academe or research institutions, and civil society  
18 organizations in all its meetings to solicit from them any information related to  
19 the Program.

20 The Provincial Government of Albay shall provide the working space for  
21 the Council, which shall serve as its office.

22 **SEC. 6. *Powers and Functions.*** – The Council shall:

- 1 a. Formulate the Rapu-Rapu Rehabilitation and Development Program,  
2 including its budgetary requirements, and determine the proper  
3 government agency to implement its different components;
- 4 b. Call on any government agency for any service, assistance or  
5 cooperation necessary to implement the Program;
- 6 c. Coordinate and monitor the implementation of the Program and  
7 identify the rehabilitation challenges, if any;
- 8 d. Review and revise the Program, if necessary, based on the identified  
9 challenges;
- 10 e. Prepare the budgetary requirements of each component of the Program  
11 to be included in the budget of the implementing agency in the General  
12 Appropriations Act;
- 13 f. Submit an annual consolidated report to the Congressional Oversight  
14 Committee on the status of the Program; and
- 15 g. Perform such other duties, functions, and responsibilities necessary to  
16 achieve the objectives of this Act.

17 **SEC. 7. *Secretariat.*** – The Council shall be assisted by a Secretariat, which  
18 shall come from the existing personnel of the member government agencies,  
19 including the local government units, without prejudice to the hiring of additional  
20 personnel to accommodate the volume of work.

21 **SEC. 8. *Appropriations.*** – The amount necessary for the initial  
22 implementation of this Act shall be charged against the Contingent Liability and

1 Rehabilitation Fund, particularly the Final Mine Rehabilitation and  
2 Decommissioning Fund (FMR/DP) for the Rapu-Rapu mining sites, under  
3 DENR Administrative Order No. 96-40, as amended by DENR Administrative  
4 Order No. 2005-07: *Provided*, That the FMR/DP shall be used continuously and  
5 exclusively for its intended purposes. Thereafter, the amount necessary for the  
6 continued implementation of this Act, particularly the components of the  
7 Program not covered by FMR/DP, shall be included in the respective budget of  
8 the concerned agencies in the General Appropriations Act.

9 The amounts appropriated for the implementation of the Program,  
10 including the FMR/DP, may be augmented by grants or donations from domestic  
11 or foreign sources, subject to existing accounting, budgeting and auditing laws,  
12 rules and regulations. Likewise, it may be augmented by the Municipal  
13 Government of Rapu-Rapu and Provincial Government of Albay out of the  
14 National Tax Allotment duly approved by their respective *Sanggunian*.

15 **SEC. 9. *Existing Plan.*** – In formulating the Program, the Council shall  
16 consider the existing Final Mine Rehabilitation/ Decommissioning Plan  
17 (FMR/DP) being implemented in the Rapu-Rapu mining sites. For this purpose,  
18 the Mines and Geosciences shall provide the FMR/DP to the Council for its  
19 review. The Council may revise and introduce changes to the FMR/DP to  
20 complement and align the same to the Program.

21 **SEC. 10. *Implementing Rules and Regulations.*** – Within ninety (90) days  
22 from the effectivity of this Act, the Secretary of Environment and Natural

1 Resources shall, in coordination with the Council, concerned LGU and relevant  
2 stakeholders, issue the necessary rules and regulations for the effective  
3 implementation of this Act.

4       **SEC. 11. *Joint Congressional Oversight Committee.*** – There is hereby  
5 created a Joint Congressional Oversight Committee to monitor the  
6 implementation of this Act. The Committee shall be composed of seven (7)  
7 Members of the Senate and seven (7) Members of the House of Representatives,  
8 to be appointed by the Senate President and the Speaker of the House of  
9 Representatives, respectively.

10       The Members from each House shall be appointed based on proportional  
11 representation of the parties or coalitions therein, with at least two (2) Members  
12 representing the minority from each chamber.

13       The mandate given to the Joint Congressional Oversight Committee under  
14 this Act shall be without prejudice to the performance of the duties and functions  
15 by the respective existing oversight committees of the Senate and the House of  
16 Representatives.

17       The Secretariat of the Joint Congressional Oversight Committee shall be  
18 drawn from the existing secretariat personnel of the committees comprising the  
19 Oversight.

20       **SEC. 12. *Separability Clause.*** — If any provision of this Act is declared  
21 unconstitutional or invalid, the remaining parts or provisions not affected shall  
22 remain in full force and effect.

1           SEC. 13. ***Repealing Clause.*** – All laws, executive orders, issuances, rules  
2 and regulations, or parts hereof inconsistent with the provisions of this Act are  
3 repealed or modified accordingly.

4           SEC. 14. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its  
5 publication in the *Official Gazette* or in a newspaper of general circulation.

6           Approved,

7

8

9

10