

Title:

Mario Joel T. Reyes vs. People of the Philippines (G.R. No. 232292, December 21, 2020)

Facts:

****Initial Events and Permits:****

1. Olympic Mines and Development Corporation (Olympic Mines) held mining lease contracts in Narra and Española, Palawan.
2. On July 18, 2003, Olympic Mines entered into a 25-year Operating Agreement with Platinum Group Metal Corporation (Platinum Group) to operate the Toronto and Pulot Nickel Mines.
3. Olympic Mines and Platinum Group separately applied for small scale mining permits on January 21, 2004, which were approved by then Governor Mario Joel T. Reyes.
4. Reyes issued SSMP PLW No. 37 to Olympic Mines and SSMP PLW No. 39 to Platinum Group, each permitting the extraction of 50,000 dry metric tons (DMT) of laterite ore over two years (November 4, 2004 to November 3, 2006).

****Over-extraction and Renewals:****

5. From May 30, 2005, to April 3, 2006, Platinum Group transported 203,399.135 DMT of nickel ore, surpassing the allowable limits.
6. On March 10, 2006, Olympic Mines applied for renewal, despite having exhausted its extraction limits.
7. The Provincial Mining Regulatory Board recommended renewal, and on April 6, 2006, Governor Reyes renewed the permit (SSMP PLW No. 37.1), effective until April 5, 2008.
8. Further transport of 79,330 DMT took place from June 2 to July 31, 2006.

****Legal Proceedings:****

9. On September 25, 2006, the Department of Environment and Natural Resources canceled the Environmental Compliance Certificates (ECC) of Olympic Mines due to over-extraction.
10. The Office of the President reinstated the ECCs, citing misinterpretations of extraction limits and lack of proven over-extraction.
11. Reyes and Andronico J. Baguyo faced charges for violating Section 3(e) of Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act).

****Court Trials:****

12. Reyes was found guilty by the Sandiganbayan on August 29, 2017, while Baguyo was acquitted.

13. Reyes filed a Motion for Reconsideration, which was denied.

14. Reyes' bail was revoked due to concerns of flight and previous violations.

****Appeal to the Supreme Court:****

15. Reyes petitioned the Supreme Court, challenging the Sandiganbayan's decision.

Issues:

1. ****Legal Issue:****

- Whether the Sandiganbayan erred in finding Reyes guilty of violating Section 3(e) of RA 3019 by renewing the small scale mining permit despite over-extraction.

2. ****Bail Issue:****

- Whether the Sandiganbayan erred in revoking Reyes' bail based on the alleged violations and risk of flight.

Court's Decision:

****Violation of RA 3019:****

- ****First Element:**** Reyes was a public officer performing official functions when the alleged crime occurred. Under the Local Government Code and relevant regulations, Reyes had the authority to issue mining permits.

- ****Second Element (Negligence):**** The Court confirmed gross inexcusable negligence was committed by Reyes. Despite clear violations (over-extraction beyond the 50,000 DMT limit), Reyes renewed Olympic Mines' permit.

- ****Third Element (Injury/Caused Benefice):**** By his actions, Reyes caused undue injury to the environment and provided unwarranted benefits to Olympic Mines, allowing them to continue extraction beyond permissible limits.

****Grant and Revocation of Bail:****

- ****Discretionary Nature:**** Bail, post-conviction, is not a matter of right but is within judicial discretion. The Sandiganbayan legally revoked it upon showing violations and a high probability of flight, supported by petitioner's escape history and subsequent recapture in Thailand.

Doctrine:

The case reiterates that public officers are accountable under RA 3019 for negligence in official functions, which cause undue injury or confer unwarranted benefits. It also

highlights the discretionary nature of bail after conviction, particularly when flight risk is substantiated.

Class Notes:

- **Key Elements (RA 3019, Section 3(e)):

1. Public officer must be performing official or administrative functions.
2. Action done with manifest partiality, evident bad faith, or gross inexcusable negligence.
3. Action causes undue injury to any party or gives unwarranted benefits.

- **Legal Interpretations:

- **"Manifest Partiality": Clear bias or favoring.
- **"Evident Bad Faith": Dishonest purpose or malice.
- **"Gross Inexcusable Negligence": Extreme lack of diligence.

- **Rule 114, Section 5 of the Rules of Court:

- Bail after conviction is discretionary.
- Conditions for denial: recidivism, escape from confinement, flight risk, etc.

Historical Background:

The case underscores the ongoing struggle in the Philippines over the regulation of small-scale mining and environmental preservation. It demonstrates the government's challenge in balancing resource exploitation and environmental protection. This decision occurred in a broader context of reevaluating governance, accountability in mining operations, and enforcing the Anti-Graft laws.