



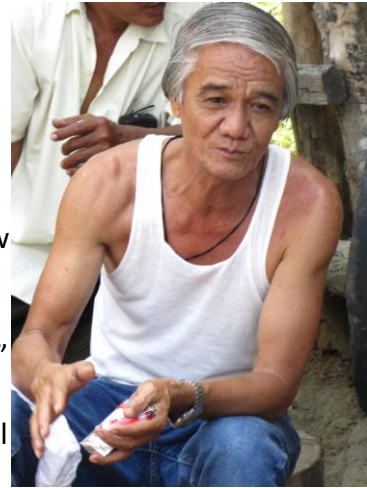
No Golden Times

A study tour¹ on mining and its impacts on the environment and human rights

By Michael Reckordt (Essen, Germany), Roland Seib (Darmstadt, Germany) and Marina Wetzlmaier (Vienna, Austria)²

“It’s our right to do mining here”, says Misah Blando, a small scale miner in Licuan-Baay (Abra Province).

“We are poor, but happy”, he adds. In the east of Abra Province (Northern Luzon) gold is mostly extracted through small scale mining. After the Second World War, the residents also experienced large scale mining when the Abra Mining Industrial Corporation entered the area. Today, with commodity prices increasing, there is new interest in large scale mining. Ellen, resident of Licuan-Baay, comments: “If large scale mining returns, we will fight against it. This is our land! We experienced large scale mining before, but apart from the manager of Abra Mining, nobody benefited.”



The extraction of resources causes many environmental and social challenges as well as human rights concerns. The Mining Act of 1995 has been under attack as it follows a liberal path and promotes the entrance of foreign mining companies. Likewise, Executive Order 270 of 2004 is criticised as it provides active state support for mining investments. Both the Mining Act and the EO are not only considered a root cause for displacement and environmental damages, but they also undermine the Indigenous Peoples Rights Act (IPRA) of 1997, according to which the full consent of indigenous communities is required for issues that will affect them.

At the beginning of the year, a group of six people from Germany and Austria visited the Philippines for a study tour on mining. The first part of the tour focused on the Cordillera Administrative Region (Luzon). First, the group split for three days to be able to visit different communities affected by mining. Especially in Barangay Mapisla (Licuan-Baay, Abra Province) small scale mining provides a source of livelihood to many people. Although most of the families live from agriculture and the remittances of family members, who are working abroad, gold mining can provide important additional income. However, in the backyard of a house we could witness how gold was being extracted with arsenic and

how the toxic substance was just tilt over the ground. A trader from the community usually buys the gold and sells it via middlemen in Baguio to the National Bank in Manila. About two thirds of the gold in the Philippines is being extracted by some half million small scale miners. In the case of Mapisla, this form of mining is hardly controlled by the state. Instead, the local council of elders (BEALBADI) regulates mining activities in accordance with traditional principles. In 2011, for example, the elders punished the barangay captain for poisoning the river with cyanide.



¹ The study tour took place from 24 February to 17 March, 2012, and was organized by Dieter Zabel with the support of philippinenbuero.

² Michael Reckordt is executive director of philippinenbuero and has been working on the impacts of mining on human rights and the environment in the Philippines since 2009. Roland Seib is political scientist and member of the Pacific-Network. For many years he has been studying the impacts of mining in Papua New Guinea. Marina Wetzlmaier graduated from development studies in Vienna/Austria and is currently working at FIAN (FoodFirst Information and Action Network) Philippines.



After three days dedicated to mining but also cultural exchange, the group continued its tour to Mankayan (Benguet Province), where the company Lepanto has been known for violating environmental standards. Several times, tailing dams containing waste from gold and copper production broke. The company experienced financial difficulties, which should now be solved

by expanding its drilling activities down to 2 kilometres under the sea level. Environmental activist Pipita Maloa, however, fears that the company's expansion plans will pose a threat to the people of Mankayan. The city has already been affected by several landslides and substitutes that were partly caused by mining operations.

At the end of the Luzon tour, the group visited the city of Baguio (Benguet Province) as well as small and former large scale mining sites in Itogon. Small scale miners are operating in the area of Benguet Corporation which had extracted gold through large scale mining until the 1990s. In Itogon, the line between large scale and small scale mining is getting blurred, as also in the latter cyanide is used to extract gold from the stone. The toxic water is directly released into the streams and rivers and finally flows into the sea.



After a meeting with the Cordillera Peoples Alliance, whose advocacy is indigenous people's rights, we spent our last day for an exchange with our partner organizations. Especially the lack of state regulation and control of local mining activities and the irresponsible way of resource management were being discussed. The group's first finding was that small scale mining controlled by local actors should be favoured to industrial mining under the condition that it is well regulated. It has less environmental impact due to its territorial limits and it benefits a larger part of the community.



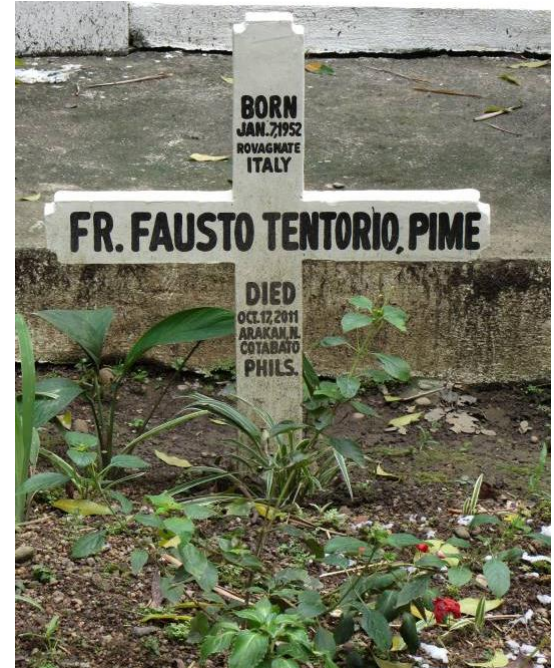


Mindanao – human rights in focus

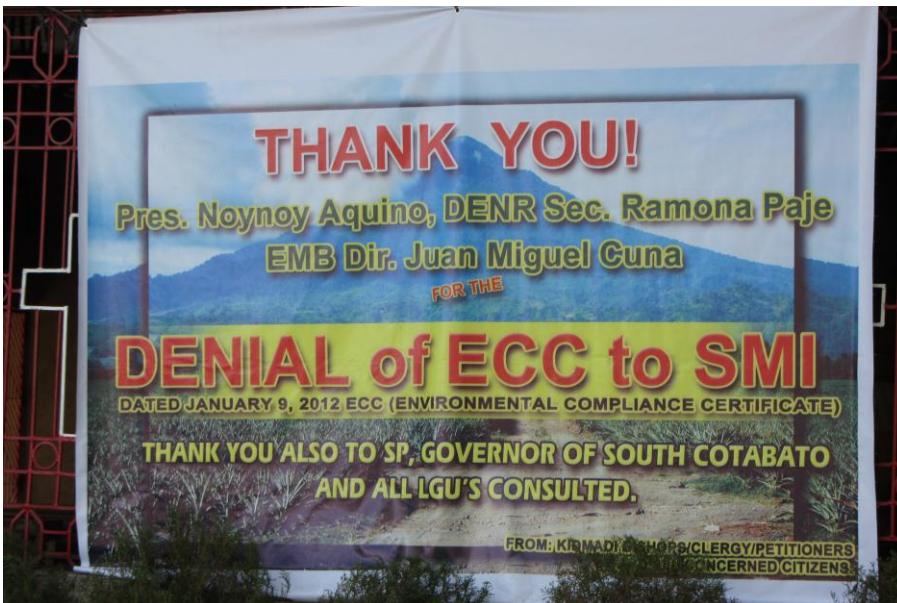
During the second part of the tour, we visited Mindanao, where we focused on the Tampakan mining project. Sagittarius Mining Inc (SMI), under management control of the Swiss company Xstrata, plans to extract gold and copper in four provinces (South Cotabato, Sarangani, Sultan Kudarat and Davao del Sur, see *südostasien*, issue 4, 2010, pp.68-72).

In January 2012, however, the project was forced to stop as it did not meet the requirements for the Environmental Compliance Certificate (ECC).

While the group's main interest in Luzon lay mostly on environmental issues, in Mindanao it focused on human rights violations that take place in a climate of impunity and inaction. The more than 1,200 political killings, which happened only in the period from 2001 to 2010, affected especially trade unions, churches, human rights, land rights and indigenous organizations as well as environmental activists.



Two of the most known victims of political killings are the Italian priests Fr. Fausto Tentoria and Tullio Favali. Together with Lory Obal and her group ICON-SP (Intercultural Organization's Network for Solidarity and Peace) we commemorated the two anti-mining activists at their graves in Kidapawan, before we pursued to South Cotabato. Since 2010, a local law called Environmental Code prohibits open pit mining in the province. The provincial code is controversial as it is in line with the Local Government Code, but contradicts the national Mining Act.



Both Governor Arthur "Dodo" Pingoy and Bishop Dinualdo Gutierrez affirm that they want to keep the Environmental Code.

We went to the area targeted for future mining operations and met with representatives of the Social Action Center of the Diocese in Marbel and with indigenous communities in Bong Mal. Despite the order to stop all preparations for the mining project, heavy machines and SUVs, which allegedly belong to the company,





could be seen in the area. The local communities told us about harassments by the military, destruction of traditional burial grounds and about the company's broken promises concerning employment and compensation. All the indigenous people (IP) we met in the remote areas oppose the mining activities of SMI/Xstrata.

Especially violence is a main problem in the area. The military, private security services and armed IP leaders have been regularly involved in shooting incidents which caused at least a dozen deaths within the past two years. Another violent actor is the maoist New Peoples Army (NPA). The group is known for fighting SMI/Xstrata's mining project, although it collects revolutionary taxes from companies and tolerates mining operations in other provinces of Mindanao. At the same time, the activities of the NPA increase military presence in the area – a vicious circle!

Another victim of violence was Eliezer "Boy" Billanes, whose third death anniversary was commemorated on March 9, 2012. Billanes was a known environmental activist and was supposedly killed because of his resistance to SMI/Xstrata. During the commemoration, the group was told that the legal process, and consequently also the search for the perpetrators, was stopped.

In the city of Columbio we first met Mayor Amirh Musali, who is trying to promote a diversification of agricultural production instead of mining. Especially the Columbio Multisectoral Ecology Movement (CMEM) has contributed to this policy change. The following day we travelled to the village of Sinapulan. As the AFP declared the area as war zone, we were accompanied by a small military escort. The discussion with the residents revealed uncertainties and internal splits linked to the mining project. Despite some soldiers listening to the discussion, participants announced violent resistance if the mining operations will push through. Afterwards, a walk to the community's tree nursery shows their idea of economic perspectives.

The City of Tulum (North Cotabato) has, with the help of the community center, been following a "culture of peace and unity" that calls for active citizen participation and replaces the usual "politics from above". Environment oriented and agricultural development programs shall help to improve the low-income situation and basic services. Furthermore, not only land related conflicts are solved through dialogues, but the city promotes a general policy of good governance which includes citizen-oriented, transparent and responsible political leadership and administration. This became clear during an event with Mayor Lani Sarillo Candolada and two barangay officials, who introduced themselves as "kids of war". Due to their childhood experiences, they now focus on peace building between Christians, Moro and Lumad. A performance of the theatre group Tri-People Youth of Columbio followed by an overnight-stay in the gymnasium gave us a chance for interesting intercultural conversations.



In the following days, we discussed mining-related problems during a discussion organised by *terre des hommes* in Davao City and the city government of Arakan, as well as with the provincial council of the indigenous peoples (ASLPC) and the management of the anthroposophist clinic in Makilala.

Conclusions

During the remaining days in Manila, we shared our experiences with Bishop Broderick Soncuaco Pabillo of the Catholic Bishops Conference of the Philippines and with members of the national secretariat of Caritas



International. Congressman Teddy Brawner Baguilat, chairman of the National Cultural Communities Committee and vice-chairman of the Committee on National Resources, presented an alternative mining bill (Philippines Mineral Resources Act) as well as a moratorium for new mining projects. The proposed law should not only guarantee better environmental protection, but also protect indigenous peoples' rights. Further discussions followed with Misereor Philippine Partnership, Alyansa Tigil Mina and forensic scientist Ben Molino, who gave a presentation on the destructive consequences of mining in the province of Zambales.

The last station of our study tour was a press conference at Peoples Global Exchange in Quezon City. Brief presentations were given on the above-mentioned assessment of mining in Luzon and on the escalating human rights situation linked to the Tampakan mining project. Violence between indigenous communities, security services of the mining industry and the Philippine Army is increasing and the Army is not able to solve the conflict. Furthermore, government agencies, especially the Commission on Human Rights, are called to resume investigations on unsolved cases of killings and harassments. The culture of impunity, particularly in the case of Eliezer "Boy" Billanes, is unacceptable. Not to mention violations against IP rights, for example through the destruction of traditional burial grounds. In conclusion, peace building, demilitarization as well as indigenous peoples' rights and poverty alleviation should be prioritized on the reform agenda. We would like to thank our partner organizations for their support and hospitality.

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Photo credits:

1 to 12 Michael Reckordt;

13 to 15 Roland Seib

Maraming salamat to everyone who helped us, discussed, laughed and cried with us! Words are not enough to express our gratitude!

