

A Federation of Lianga Bay Organizations takes an Anti-Mining Stand

By Ma. Theresa C. Jabon

CITING the environmental, sociocultural, political and economic destruction that mining will bring to their coastal towns, the Marihatag-San Agustin Federation of Fisherfolks and Farmers Associations (MFFA), a newly-organized federation of POs in the municipalities of Marihatag and San Agustin, Surigao del Sur, is strongly opposing the entry of a big-scale mining company in Marihatag.

Led by Antonio Bag-o and Elsie Rivas, chair and vice-chairman, respectively, the MFFA released and distributed a written statement opposing the application for Mineral Production Sharing Agreement (MPSA) by Southern Agusan Mining and Exploration Corporation (SAGMEC) covering 1,920 hectares in the municipalities of Marihatag in Surigao del Sur and Bayugan and Prosperidad in Agusan del Sur. The MPSA application entails the exploration and development of gold, copper and other base metal resources for 25 years, subject to extension for another period but not exceeding 25 years.

The MFFA also spearheaded a signature campaign in Poblacion Marihatag and Barangay Amontay extending up to Barangays Bretania and Otieza of the adjacent municipality of San Agustin. It was meant to boost the anti-mining protest and

support the adverse protest with the Mines and Geosciences Bureau of the Department of Environment and Natural Resources in accordance with Section 38 of the DENR Administrative Order (DAO) No. 96-40, Series of 1996.

The MFFA opposes the mining operations of SAGMEC because it will bring havoc to the watersheds, forests, soils, seas and rivers, coastal areas, fishery and marine resources, agricultural lands, health and the sociocultural fabric of their communities. The MFFA says that all their gains in the Lianga Bay Fishery Resources Management Project as well as the efforts of the Community-Based Resources Management Project (CBRMP) in mangroves reforestation and seaweed production, will go to naught.

The MFFA says the areas covered by the MPSA are under a Certificate of Ancestral Domain/Land Claims (CADC/CALC), and this is another reason of their protest.

Free prior and informed consent

Under R.A 7942 otherwise known as the "Philippine Mining Act of 1995" and DAO 96-40, areas of ancestral land as may be defined by law shall require prior written consent from concerned



individuals, groups or other agencies having jurisdiction over area/s applied for. Under the Indigenous People's Rights Act (IPRA), this "free prior and informed consent" is defined as the "consensus of all members of the indigenous peoples to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community". The law further suggests that a project such as mining exploration and development cannot proceed in the absence of any clear level of consent from these indigenous peoples.

Both RA 7942 and IPRA emphasized that the "free prior and informed consent" of the affected communities is of great importance but the current state of affairs says otherwise. The agencies supposedly in charge of ensuring the processes for the affected communities failed to enforce the legal provisions and lack in political influence; thus, mining companies always win more cases are decided in their favor and not the indigenous peoples.

Thus, while Philippine law protects the land rights of the IPs through the IPRA, economic activities such as mining exploration and development continue to place the indigenous lands under threat of great plunder and devastation.

The MFFA believes that ancestral lands of indigenous communities should not be subjected to mining as this will lead to the destruction of the environment and to the process called "development aggression" –disintegration of the indigenous people's cultural values, community structures and traditional economy becomes real.

According to the document entitled 'Breaking Promises, Making profits: Mining in the Philippines,' "about 10 million people belong to distinct indigenous communities and retain a close link with their traditions. Much of the land targeted for mineral exploration is the ancestral home of indigenous groups."

According to the Mining Communities Development Center, "mining claims since 1995 cover more than 30 percent of the remaining forestland of the Philippines. Mining this land would therefore have a disproportionately high environmental impact, stripping key forested watersheds and polluting areas downstream, including coastal waters. It would deprive many of the poorest people in the country of their existing lands and livelihood."

The MFFA's protests against mining in Marihatag, Prosperidad and Bayugan towns came in the heels of similar protests in other areas in Surigao del Norte and Surigao del Sur, which were earlier classified and declared by the Philippine government as mineral reservation areas. The Philippine Mining Act of 1995 strengthens this declaration. However, it will be recalled that as early as 1914, the Surigao provinces had been declared mineral reservation areas and later in 1939, another government declaration strengthened it.

Great wealth, unalleviated poverty

As of December 2003, the Mines and Geosciences Bureau of the DENR in Caraga Region 13, following a principle that "mining shall be pro-people and pro-environment in sustaining wealth creation and improve quality of life," declared that mineral resources/reserves in the region such as that of nickel reached 120,377.827 metric tons (MT), gold at 5,161,631.00 MT and chromites 893,250.00 MT. Caraga region is the second producer of nickel in the country, the fifth highest in gold deposits, fourth in chromites and copper while iron deposits are estimated to reach 3 billion metric tons. The region is also rich in non-metallic mineral resources such as limestone, silica, rock phosphate, bauxite and refractory.

Worldwide, the Philippines is known to be "like Saudi Arabia, sitting on all that oil..." According to the MGB Director Horacio Ramos, "mining can be productive for all if it is properly shared at the community level as well as the local, provincial and national government level." The London-based *Mining Journal* wrote, "the Philippine's mineral endowment in 1991 was among the highest in any country in the world. It ranks second in the world for gold, third for copper and sixth for chromites, the only natural source of chromium". Despite this great wealth of Philippines' natural resources and the massive extraction of this wealth, majority of the Filipino people remain unalleviated from poverty. "The Philippine government is failing in its duty to protect its citizens, particularly indigenous people, from what many Filipinos call "development aggression". The negative impacts of large-scale mines— social and environmental, economic and political— outweigh any potential benefits".

Thus, the MFFA and other stakeholders in the communities under threat from mining explorations and operations will continue to stand up for their rights and escalate their protests