

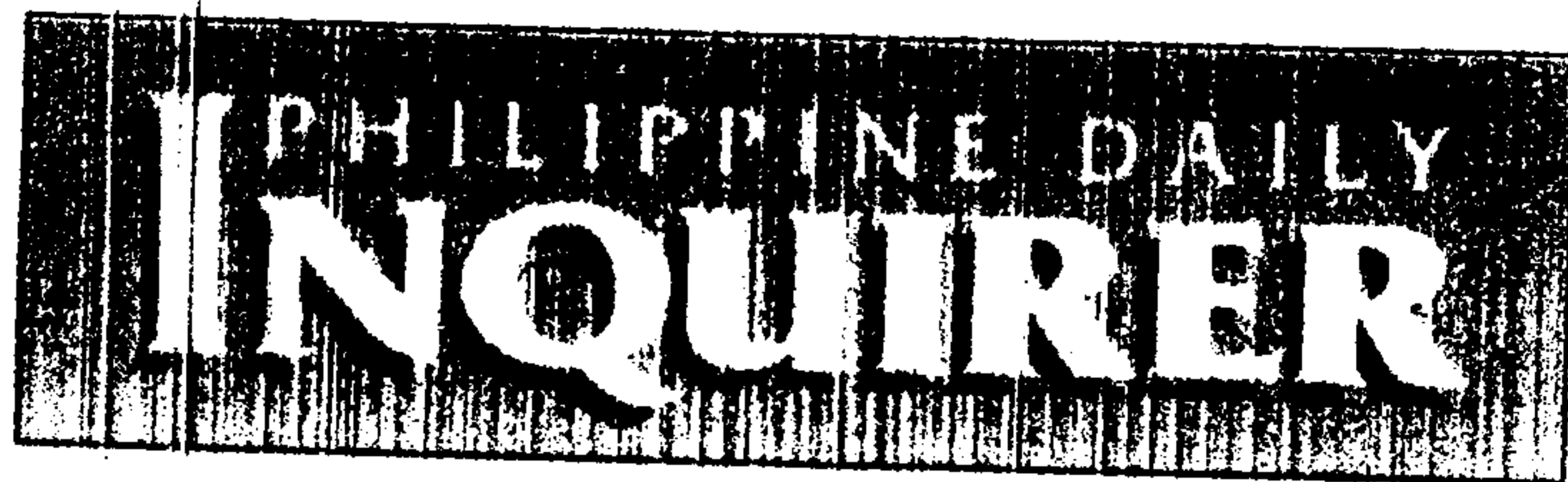
STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DATE : 12 JUL 2016  
DAY : Tuesday

# DENR

## IN THE NEWS

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

# DENR sets audit of all existing mine sites

By Ronnel W. Domingo

THE DEPARTMENT of Environment and Natural Resources formalized an audit of existing mines and suspended the approval for new ones while the Chamber of Mines of the Philippines (COMP) said some more of its members were now fully compliant with international standards.

Environment Secretary Regina Lopez issued Memorandum order No. 2016-01 dated July 8, which is in effect "until formally terminated."

Lopez cited three reasons why mines that were already operating should undergo an audit. First, to determine the adequacy and efficiency of the environmental protection measures of each mining operation. Second, to identify gaps in environmental protection measures. And third, to determine the appropriate penalty or penalties in case of violations of the mining and environmental laws.

Aside from the provisions of the mining law, the audit will be done pursuant to Executive Order No. 79 that President Aquino issued in 2012.

The COMP had described EO 79, which drew the boundaries on areas where no new applications for mining would be allowed, as a "flawed policy."

The audit of mines would also be based on a DENR administrative order that required mines to be fully compliant with



LOPEZ

ISO 14001, which maps out a framework that a company or organization can follow to set up an effective environmental management system.

Last week, the COMP said 13 of its 21 members were already fully compliant with ISO 14001.

Yesterday, the group said four more members have been ISO 14001-certified. These included LNL Archipelago Minerals Inc. in Central Luzon, and CTP Construction and Mining Corp., Platinum Group Metals Corp. and Philsaga Mining Corp. in the Caraga region.

Also last week, the Mines and Geosciences Bureau ordered the immediate suspension of the operations of Zambales Diversified Metals Corp. (ZDMC) and Benguetcorp Nickel Mines Inc. (BNMI) — both operating in Zambales.

BNMI said in a statement that it would "immediately request a reconsideration of the suspension order, since its mining operation is fully compliant with the regulatory requirements and environmental standards of the government and its host communities."



# BusinessWorld

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

# DENR issues own halt order on new mines, sets rules for audit

By Janina C. Lim *Reporter*

ENVIRONMENT Secretary Regina Paz L. Lopez has formalized an order for a moratorium on new mining projects and also required an audit of mine operations that are currently suspended.

"The audit shall cover all operating mines under suspended and/or care and maintenance status while the moratorium shall cover the acceptance, processing, and/or approval of mining applications and/or new mining projects for all metallic and non-metallic minerals," read July 8-dated Memorandum Order 2016-01 uploaded by the Mines and Geosciences Bureau (MGB) to its Web site.

The order means that aside from Executive Order (EO) No. 79, which suspends approval for new mines pending the enactment into law of a new revenue-sharing scheme, miners must also await the lifting of the department's own moratorium.

Signed on July 6, 2012, EO 79 placed an indefinite suspension on new applications for mining projects, first imposed in 2011.

The audit will determine the efficiency and adequacy of environmental protection measures at mining operations covered by the order, identify gaps in environmental protection, and determine whether mining and environmental laws were violated.

In addition, the order required the establishment of a mine audit team with representatives from the Department of Environment and

Natural Resources' (DENR) central and regional offices, the MGB, the Environmental Management Bureau and third parties such as agriculturists, and fishery and social development experts, among others.

Ms. Lopez said the review of mining concessions which will determine the fate of miners will be transparent.

"The findings, the process... [They] will be absolutely transparent with a non-negotiable dance to integrity," said Ms. Lopez in a text message.

Asked if members of the media will be allowed to monitor auditing processes, Ms. Lopez said: "That's a good idea. But not mining-connected media. They will just screw up reports. It has to be truthful and objective reporting... There are reporters that are clearly [for] mining...

when I read the articles, I do get a sense that there is already bias."

Meanwhile, the Chamber of Mines of the Philippines (COMP) e-mailed reporters on Monday an updated list of members that have secured certifications from the International Organization for Standardization (ISO), as mandated by a DENR order issued last year.

Added were LNL Archipelago Minerals, Inc., CTP Construction & Mining Corp. (Adlay and Dahican), Platinum Gold Metals, Corp., and Philsaga Mining Corp., to the 14 COMP members that have fully complied.

Ms. Lopez, however, said over the weekend that securing an ISO certification is no guarantee that miners observe the "highest standards" in their environmental management practices.



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DEAR ISSUES turn halt order on new miners, cats  
rules for audits



ENVIRONMENT Secretary Regina Paz L. Lopez

PHILIPPINE STAR MICHAEL VARCAS



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# BusinessMirror

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

## PHL will not see new mining projects under Lopez's watch

By JONATHAN MAYUGA [@jonlmayuga](#)

**A**SIDE from auditing the operations of existing mining sites, the new chief of the Department of Environment and Natural Resources (DENR) has also ordered a moratorium on the approval of new mining projects.

And Environment Secretary Regina Paz L. Lopez will not allow new mining activities even if they would pay higher taxes.

Lopez has issued DENR Memorandum Order (MO) 2016-01, dated July 8, 2016, the first to be issued under the Duterte admin-

### DENR M.O. 2016-1

The memorandum order issued by Lopez placing miners under audit and halting approval of new projects

istration. The order takes effect immediately and "shall remain in force and in effect until formally terminated." The order repealed or modified all other existing orders, circulars and directives that  
SEE "MINING," A2

are inconsistent with the provisions of the order. Lopez's first, MO 2016-1 formalizes her earlier policy pronouncement when she took over the helm of the DENR on June 30.

"In line with the pronouncement on responsible mining by His Excellency, President Rodrigo R. Duterte, 'that there will be a comprehensive review of the mining claims of concessions given,' and in the interest of the common good and to ensure that the concerns of the helpless and the impoverished are addressed, an audit of all operating mines and a moratorium on the approval of all new projects are hereby ordered for the guidance and compliance of all concerned," the order stated.

The mining audit covers all mining operations in the country, to determine the adequacy of and efficiency of the environmental-protection measures of each mining firm; to identify gaps in environmental-protection measures; and determine appropriate penalty/ies in case of violations of mining and environmental laws.

In line with the mining audit, the DENR chief also ordered the creation of mine-audit teams per region to be headed by the DENR Central Office, DENR Regional Office, Mines and Geosciences Bureau (MGB), Environmental Management Bureau (EMB) and a third-party expert.

The mining teams are required to submit a report to the DENR chief in a month.

The approval of new mining projects has been stopped, pending the enactment of a new mining-revenue sharing scheme as mandated by Executive Order (EO) 79, the mining policy of former President Benigno S. Aquino III.

The order, which aims to institute mining reforms, also subjected mining contracts under periodic review by the government. As the new DENR chief, Lopez

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*PHL will not allow new mining projects under Lopez watch*

had vowed to put under strict regulatory process coal and mining ventures, including small-scale mining and other environmentally destructive projects that cause people to suffer.

Asked on her stand on the prospect of allowing mining projects/development on account of higher taxes, Lopez said: "I will not endorse anything that allows suffering to go on. Public welfare is my non-negotiable stand."

Asked about the existence of EO 79, which essentially stopped the approval of new mining projects pending the new mining tax or revenue-sharing scheme, she said: "We will do the audit and all those that cause suffering will be suspended. It's the right thing to do."

On July 7 a preventive-suspension order was jointly issued against Benguet Corp. Nickel Mines Inc. and Zambales Diversified Nickel Corp. by three regional officials of the DENR in Central Luzon—Francisco E. Milla Jr., the DENR's regional executive director; Lope O. Cariño Jr. of the MGB, and Lormelyn E. Claudio of the EMB.

The order, in effect, halted all large-scale mining operations in Zambales, a declared mineral reservation area. On July 1 the provincial governor of Zambales issued EO 1, stopping all mining operations. Local government units have power and authority over small-scale mining, while large-scale mining, falls under the national government through the DENR's MGB, or the Mining Industry Coordinating Council.

Meanwhile, the Chamber of Mines of the Philippines (COMP) said most of its members have secured the mandatory ISO 14001 certification required under DENR Administrative Order 2015-07.

COMP, which represents large-scale mining companies operating in the Philippines, had vowed to adhere to the highest standard of responsible mining, in response to Duterte's challenge to shape up, with the stern warning that he is ready stop mining operations for destroying the environment.



THE EXPONENT OF PHILIPPINE PROGRESS  
SINCE 1900

# MANILA BULLETIN

THE NATION'S LEADING NEWSPAPER

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

## DENR favors RE push over coal plants

**T**he Philippines' new environment secretary will prioritize renewable energy (RE) over fossil fuels like coal in approving permits for new power plants.

Southeast Asia's fastest growing economy should build wind, solar and geothermal projects to capitalize on falling costs and minimize emissions, Gina Lopez, named Secretary of the Environment and Natural Resources by President Rodrigo Duterte last month, said in an interview in her office. Lopez said her family's ties to renewable energy companies don't affect her views.

Lopez, 62, whose office gives environmental approval for new power plants in the Philippines as it nearly doubles electricity generation by 2030,

stopped short of promising to never approve a new coal-fired plant. She said she would make decisions in consultation with the Department of Energy, which has said the Philippines will have to continue to rely on coal.

"Why allow more coal plants? Why commit to a form of energy that has no future?" Lopez said in an interview with Bloomberg Thursday. "I'm not keen on it. I'd have to be very convinced."

Thermal coal at Australia's port of Newcastle, a benchmark in Asia, rose 6.4 percent the week ended Friday to \$60.11 a metric ton, according to global COAL. Prices have fallen 50 percent in the past five years.

Energy Department officials did not immediately respond to e-mails and

phone calls for comment. New Energy Secretary Alfonso Cusi said at a July 4 press briefing the country couldn't afford to not use coal as it seeks to reduce electricity costs while finding a balance between adequate supply and protecting the environment.

"We have to find that balance, not everything can be renewable," he said.

Coal accounted for 45 percent of the nation's electricity output in 2015, with natural gas at 23 percent, according to Energy Department statistics. Geothermal, hydro and other renewable sources accounted for about a quarter.

Plummeting costs for solar generation mean that if the Philippines commits to new coal plants now, it could be stuck paying higher prices for

higher-emission power for the next two decades, Lopez said. The cost of photovoltaic modules, the largest part of solar costs, has fallen from \$72 per watt in 1976 to 60 cents last year, according to Bloomberg New Energy Finance. Costs will fall another 60 percent by 2040, BNEF said in its New Energy Outlook last month.

Lopez's family own First Gen Corp. and Energy Development Corp., which both operate geothermal power generation in the Philippines. Lopez said her family's investments have no bearing on her decisions.

"I'm not going renewable because of them. I'm going renewable because it's for the Filipino people," she said. "And if they benefit, well, other people can also benefit. My thing to the businessmen, go renewable so you can also benefit." (Bloomberg)



# BusinessWorld

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### It just got harder to build coal plants in the country

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Southeast Asia's fastest growing economy should build wind, solar and geothermal projects to capitalize on falling costs and minimize emissions, Regina Paz "Gina" L. Lopez, named secretary of the Environment and Natural Resources department by President Rodrigo R. Duterte last month, said in an interview in her office on Thursday last week.

Ms. Lopez said her family's ties to renewable energy companies don't affect her views.

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Coal, S1/9

Coal,  
from S1/1

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"We have to find that balance, not everything can be renewable," he had said then.

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### First Person

By ALEX MAGNO

#### ISO 14001

There seems to be a bit of confusion about what the standards really are.

Newly appointed DENR secretary Gina Lopez announced that she wanted to "evaluate if the country is safe from mining." We are not sure if that is what she meant, as opposed to "safe for mining."

At any rate, she later said: "If you are really responsible, then you really have to have the highest standards." That could take us down a slippery slope.

This week, Lopez cancelled the mining permits of four firms. We are not sure if permits were temporarily cancelled pending further investigation or cancelled for good. In the present circumstances, no one really knows.

A new order appears to have descended upon our mining community. In this new order, the only thing clear is that everything has become unclear.

It should not be.

Most of our largest mining companies subscribe to an ISO certification. The certification (ISO 14001) prescribes an effective and efficient process for auditing the performance of a mining enterprise.

ISO 14001 specifies the requirements for an environmental management system. It indicates good management and control of the environment as aspects of operations in line with global best practices and standards.

In requesting for ISO 14001 certification, a company undergoes assessment, training, documentation and process audits. There is near-continuous monitoring of operations as well as site audits every six months.

ISO 14001 is not static. The standard undergoes periodic revision in the face of technological advancement in the industry.

Notwithstanding, Sec. Gina Lopez has called for an entirely new audit, presumably of all the mines currently in operation. What this new audit will be composed of is anybody's guess.

The Chamber of Mines of the Philippines (COMP), the umbrella organization of mining companies in the country, expressed concern a new "comprehensive assessment" would only cause more delays. Recall that during the Aquino years, the administration made much noise about a "new mining policy" without arriving at a clear definition of what this was about.

Recall that the Mining Act of 1995 governs the industry in this country. After a decade of delays at the



Supreme Court, the Act was cleared of any constitutional infirmities. It is deemed one of the best mining legislations anywhere.

Nevertheless, the mining industry never truly emerged from the doldrums mainly because of strong environmental activism and the largely undefined roles of local government authority as well as such pieces of legislation as the Indigenous Peoples Rights Act.

There are, to be sure, sloppy practices in our mining industry. These practices are associated largely with small-scale enterprises and informal mining activities such as we see in the Tampacan area.

In these cases, strong action by the DENR is called for.

Unsafe and unsound mining practices put people's lives at risk. They give rise to rampant smuggling of minerals. They promote criminality.

Gina Lopez might do well to concentrate on the makeshift mines and the fly-by-night operations. This is where the most harm is done.

Those mining enterprises properly governed by ISO 14001 are largely heavily policed. The only thing that grips them is uncertainty over the drift of our mining policy – which, hopefully, is not what Gina's actions are all about.

#### Rage

The last week could mark a historic turn in US politics.

Racial violence is nothing new in the US. But from rare, the violence became intermittent. Last week, the violence simply bloomed.

The week began rather inauspiciously until two shooting incidents, in two separate cities, happened. The two incidents were, well, special.

The victims, both African-Americans, were not resisting arrest when fired upon by policemen. One was reaching for his driver's license when policemen blew his arm away.

Then Dallas happened.

From the various accounts of the incident, it appears a single gunman started taking out policemen. Five uniformed policemen were taken down. Six others were wounded.

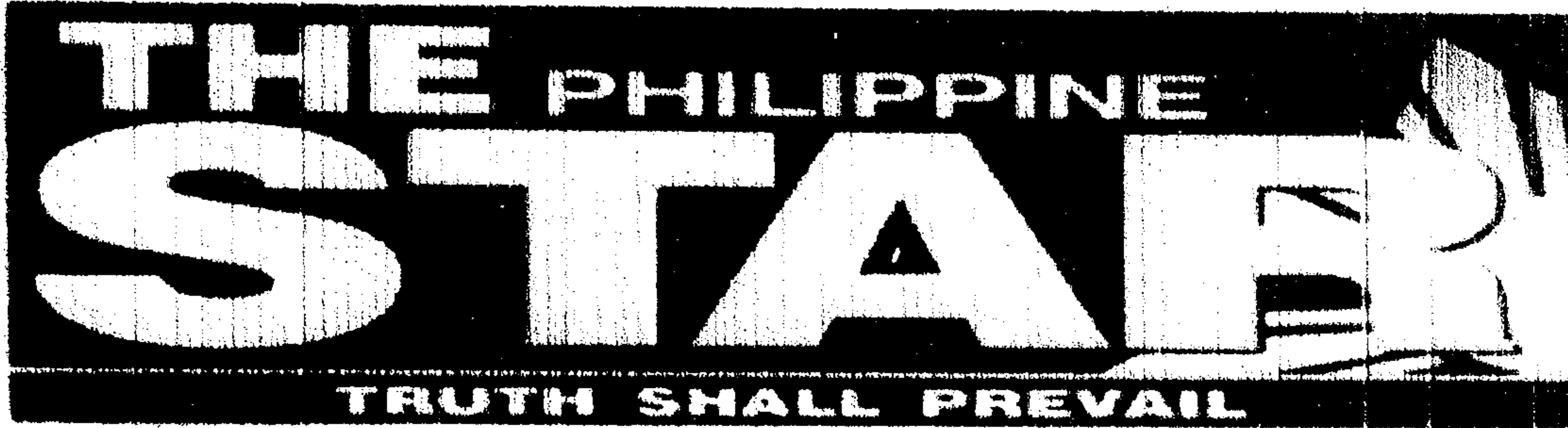
The gunman, trained in the arts of war, positioned himself well for this attack. He carried enough ammunition to sustain a long engagement. It was only after the police pulled in a robot and detonated it close to the suspect that this episode finally ended.

This gunman was African-American. He has no medical history to speak of. He was not a man of violent temper.

Only one thing distinguished him: a fascination for guns.

When this man set out on his mission – very likely to seek vengeance for his "brothers" – he was not about to return. This was a mission of death.





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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

ISO 14001

The deaths of the policemen, the death of the gunman, all the other traumas accompanying this event solve nothing. All the violence the past few weeks, and probably the months ahead, solve nothing.

At the bottom of this wild cycle of violence, I suspect, is not race but guns.

The apparently racial content of the violence is a subset. The bigger set, the one that includes the mass shooting that happened targeting all races and age groups, is the one induced by the accessibility of guns.

Orlando, Florida was not about race. It was about gender.

The many school shootings were not about race. They were about the particular vulnerability of school-children.

The mass shooting at San Bernardino was not about race. They were about ideology.

Yet all of them became possible because of the accessibility of guns. All of them became possible because it was so easy in the US to purchase guns over the counter.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE  
ENVIRONMENTAL, SOCIAL AUDIT PRESSED

# Nickel prices up 32% from February

LONDON nickel prices rose 1.1 percent to \$9,985 a ton yesterday, within sight of the record \$10,410 per ton it touched on July, the highest since last October.

Prices have jumped 32 percent from 13-year lows hit in February.

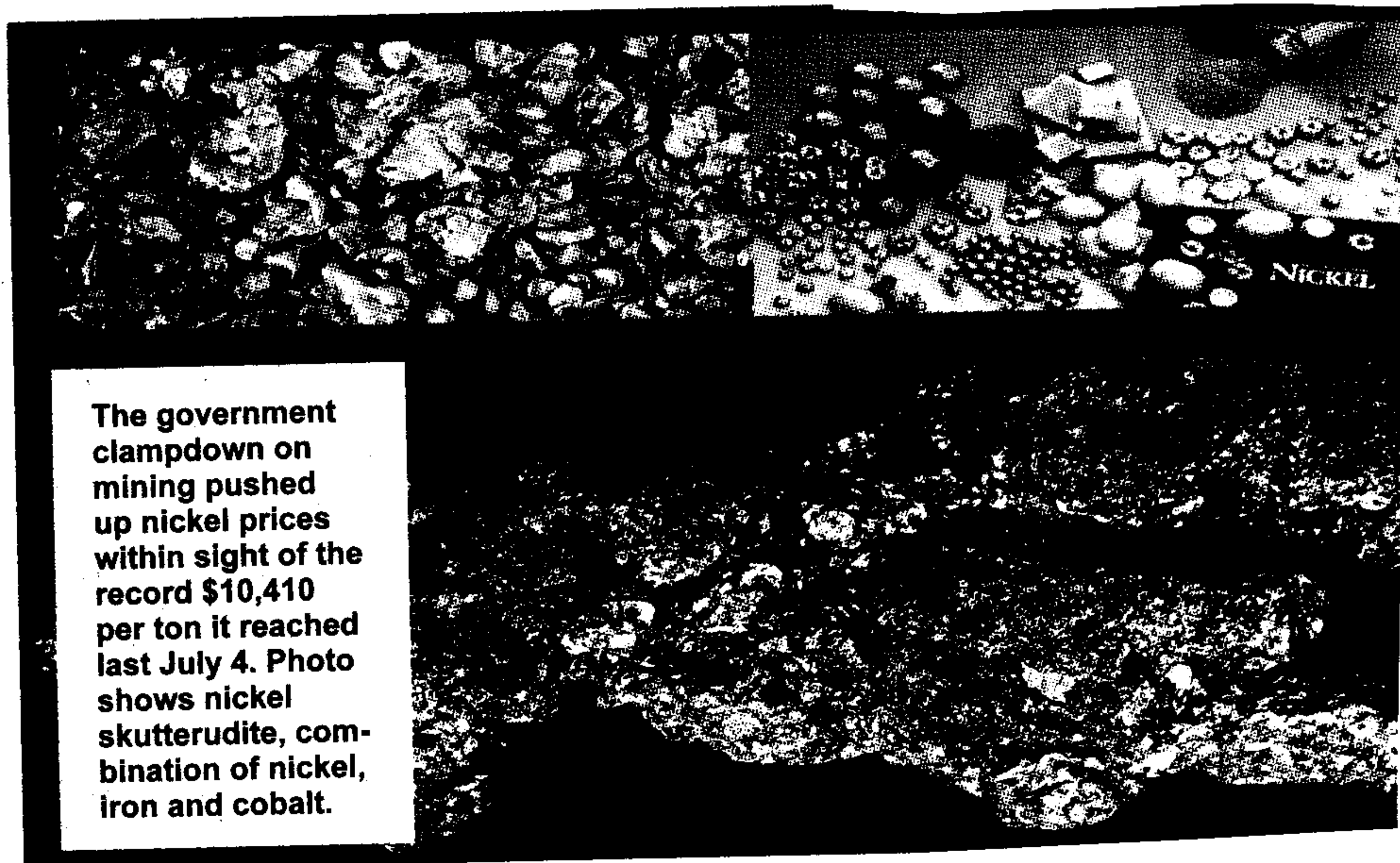
The surge in prices resulted after the Philippines toughened its stance on mining threatening supply to China.

Last Friday, the government ordered all nickel mining operations in Zambales for environmental violations and halted the issuance of exploration permits as a nationwide crackdown led by Regina Lopez, new secretary of the Department of Environment and Natural Resources begins.

The move could curb nickel ore shipments with the Philippines as the top supplier to No. 1 market China, and push global prices up further.

However, a huge glut of stocks - equal to half a year's supply - could put the brakes on any rally.

See NICKEL ► Page A4



The government clampdown on mining pushed up nickel prices within sight of the record \$10,410 per ton it reached last July 4. Photo shows nickel skutterudite, combination of nickel, iron and cobalt.

Lopez said that she wants environmental and social audits not only technical audits on mining companies.

"...Even if the company is ISO certified, if they are endangering or having adverse effects on the lives of the communities, their operations is still at stake. I don't just want a technical audit. I want an environmental and social audit. It's the right thing to do," Lopez said.

The ISO 14001 certification was earlier required by the MGB to all metallic mines with a deadline that expired last May 1. All mining firms that fail to secure this will not be given ore transport permit and will be prohibited to export minerals abroad.

Aside from the 42 operational metallic mines, the 54 non-metallic mines are also required to secure the said certification for them to continue operating until next year.

Meanwhile the Chamber of Mines of the Philippines reported that four other members have received the International Organization for Standardization (ISO) 14001 certification required by the government.

COMP said LNL Archipelago Minerals Inc., CTP Construction & Mining Corp., Platinum Group Metals Corp. and PhilsagaMinig Corp. are now ISO certified, bringing the total to 17 COMP members that have secured ISO certification, a proof that they observe environment-friendly mining practices.

However, LNL Archipelago Minerals is currently non-

operational as all mining activities in Zambales province are suspended.

Mining operations will only resume if issues relating to tree cutting and earthballing operations in the site; completion of exclusive mine haul road; full rehabilitation of mined out and open areas; full remittance of the final mine rehabilitation funds; compensation and rehabilitation of damaged farmlands, fish ponds and bodies of water; and repairs of road damages caused by hauling operations are resolved.

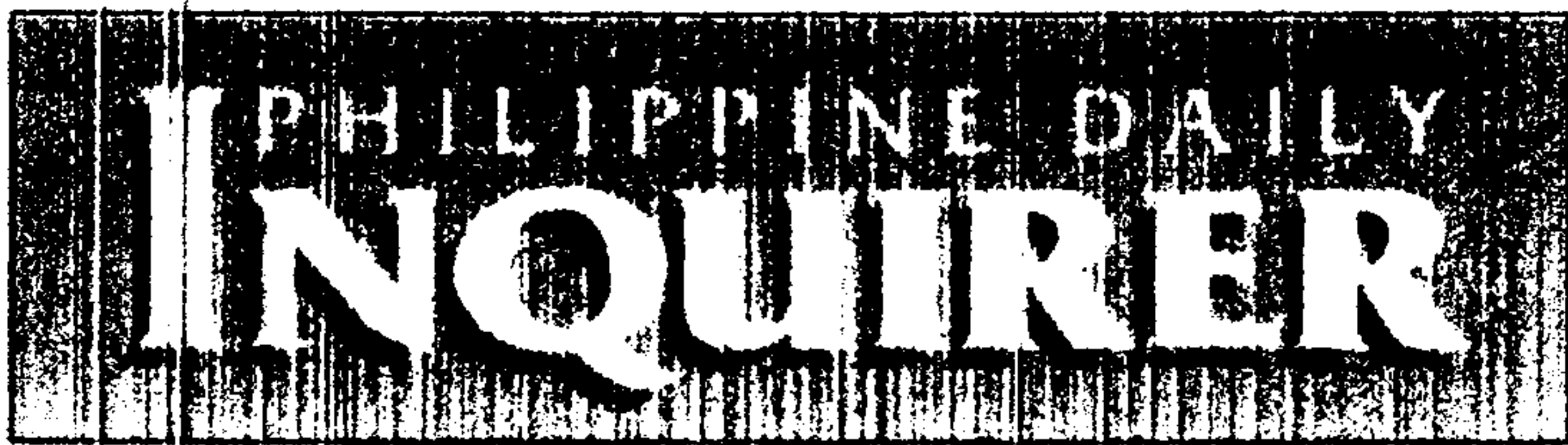
At present, four members of the group are still processing their ISO certification: Berong Nickel Corp., Apex Mining Co. Inc., TVI Resource Devt. Inc. and Pacific Nickel Phil., Inc.

Nelia Halcon, COMP executive vice president, said all member companies are committed to fully comply with ISO 14001 and with government standards to promote responsible mining.

"The Chamber will continue policing its ranks, ensuring that our members will abide by the highest environmental standards, abide by our obligations to government and continue nurturing our communities," Halcon said in a statement.

According to the order, a mine audit team will be created in every region to be composed of the DENR central and regional offices, Mines and Geosciences Bureau (MGB), Environmental Management Bureau and a third party expert.





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**STRATEGIC COMMUNICATION AND INITIATIVES SERVICE**

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## Power project doing serious harm to environment

"WE'LL CLEAN the ranks of the DENR. Those accepting bribes, your days are over. Stop it. No corruption is acceptable" ("Gina spooks mining stocks: Environment activist Lopez accepts DENR job," Front Page, 6/22/16). These words from new Environment Secretary Gina Lopez, together with President Duterte's strong assertion that destroyers of the environment will be dealt with accordingly, gave us, who are fighting for the protection of our environment, hope.

We urge the secretary to include among the "nonacceptable" in her department hydroelectric power projects whose construction methods are despicably laying waste to the environment—like the hydroelectric power plant in Sabangan, Mountain Province, which has been the object of our two-year struggle for justice.

Hectares of old-growth forest and thousands of trees have been "massacred" and wasted, while hundreds of thousands of tons of construction waste have been directly and wantonly dumped into the Chico River and its tributaries. We have brought this matter to the attention of the central and regional offices of the Department of Environment and Natural Resources (DENR) and the Environmental Management Bureau (EMB), as well as to the Office of the President and other concerned agencies and almost all the national media outfits.

Sad to say, only ABS-CBN Baguio immediately went to the site and documented the "disaster," reporting on it for five days on TV. Sad to say, too, the Office of the President, DENR, EMB and other concerned agencies remained deaf, blind and mute about the problem.

Sometime in the past, similar serious concerns about the logging operations of Kairuz Logging Co. and Heald Lumber Co. were raised, and I wrote the Na-

tional Irrigation Administration and the Department of Agriculture about the destruction they were causing. When Typhoon "Ineng" directly hit the Mountain Province in August 2015, it was a disaster: logs in the river system became floating "battering rams" that caused the destruction of the P57-million Betwagan Bridge and P500 million in public irrigation facilities in Tabuk, making the planting of 25,000 hectares of rice fields impossible for three cropping seasons.

The waste from the Sabangan hydroelectric power project, which is being dumped into our river system, will be felt for many long years.

My 100 million-peso question is: Why do private and public personalities involved in such projects and operations choose to be deaf, mute and blind to the destruction?

On Oct. 12, 2015, the indigenous peoples of Sabangan led by Prime Bishop Renato Abibico of the Episcopal Church in the Philippines filed in the Pollution Adjudication Board (PAB) a complaint regarding the matter. Sad to say, after nine months, the PAB has taken no credible action on the complaint. This far, all indications point to a whitewash of our complaint. But with Secretary Lopez sitting as chair of the PAB and President Duterte's fighting words against the destroyers of the environment, we see hope.

It is evident that the DENR and EMB have been compromised. I even believe that corruption in these two arms of the government has reached epidemic proportions. I and my group are with the President and Secretary Lopez in their goal of reforming the DENR and EMB. We are ready to support and provide them with feedback, or to keep them updated on the project.

—JUNIPER DOMINGUEZ,  
Sabangan, Mountain Province,  
dalas812571@yahoo.com



**STRATEGIC COMMUNICATION AND INITIATIVES SERVICE**

TUESDAY, JULY 12, 2016

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# The Standard

DEFINING THE NEWS

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### Can Secretary Gina become flexible?

PRESIDENT Rodrigo Duterte's choice of head of the DENR (Department of Environment and Natural Resources) was



RUDY ROMERO

BUSINESS CLASS

one of the Cabinet appointments very eagerly awaited by the nation. This is explained by the fact that BMG (Bureau of Mines and Geosciences) is a component of the DENR and the mining industry is regulated by BMG. During the election campaign, President Duterte took a position critical of the Philippine mining industry.

The new Chief Executive could have gone one of three ways in his choice of Secretary of Environment and Natural Resources. He could have chosen a number of the existing DENR hierarchy, such as an undersecretary, in the interest of continuity. Or he could have brought into the DENR a person of the conciliating type—someone who could settle all existing disputes, put an end to all discord and maintain an atmosphere of stability within the Department. Or he could have brought in a person with an enforcement mindset—someone who would seek to enforce the law strictly and punish establishments and people who violate DENR rules and regulations.

President Duterte has chosen the third option. He has appointed as Secretary of Environment and Natural Resources Regina (Gina) Lopez, a person with well-known views on the environment, particularly on the Philippine mining industry.

Of all the Cabinet-level appointments he has made, President Duterte's appointment of Gina Lopez as Secretary of Environment and Natural Resources has undoubtedly been the most controversial. This has nothing to do with Gina Lopez's intellectual capability or academic qualifications or professional record or work habits: the new Secretary is a member of the family of sugar-industry and ABS-CBN fame, was educated at good schools in this country and abroad, is honest and has an ample track record of involvement with NGOs (non-government organizations) in socio-economic and cultural causes. It has to do with the position that Secretary Lopez has taken publicly on the issue of mining, more specifically responsible mining.

Secretary Gina has famously stated that there is no such thing as responsible mining. "Responsible mining is an oxymoron," she has said. In Secretary Gina's view, there is no mining operation in this country that has not left a trail of despoliation of the environment and damage to the economy and the host communities.

Interested observers and people involved with the mining industry believe that the appointment of Gina Lopez as Secretary of Environment and Natural Resources is the most ill-advised appointment that President Duterte has made to date. The head of a Cabinet department must enter into his or her duties with an open and flexible mind, they say, but how can Secretary Gina do a good job of running DENR with a closed mind where the Philippine mining industry is concerned? Placing Gina Lopez at the helm of DENR (and, by extension, BMG) is akin, they say, to placing a wolf inside the chicken coop.

Will relations between Secretary Gina and the Philippine mining industry turn out to be stable? Or does a period of confrontation and discord lie ahead?

The mining-industry folk say that the answers to those questions are in the new DENR head's hands. Given her expressed negative attitude toward irresponsible mining—nay, to mining in general—they are inclined to be pessimistic.

Can Secretary Gina become flexible and accommodating as she proceeds to discharge her duties? At this point that certainly does not look possible. But who knows?

As my Spanish-speaking friends would say, vamos a ver.

E-mail: [rudyromero777@yahoo.com](mailto:rudyromero777@yahoo.com)



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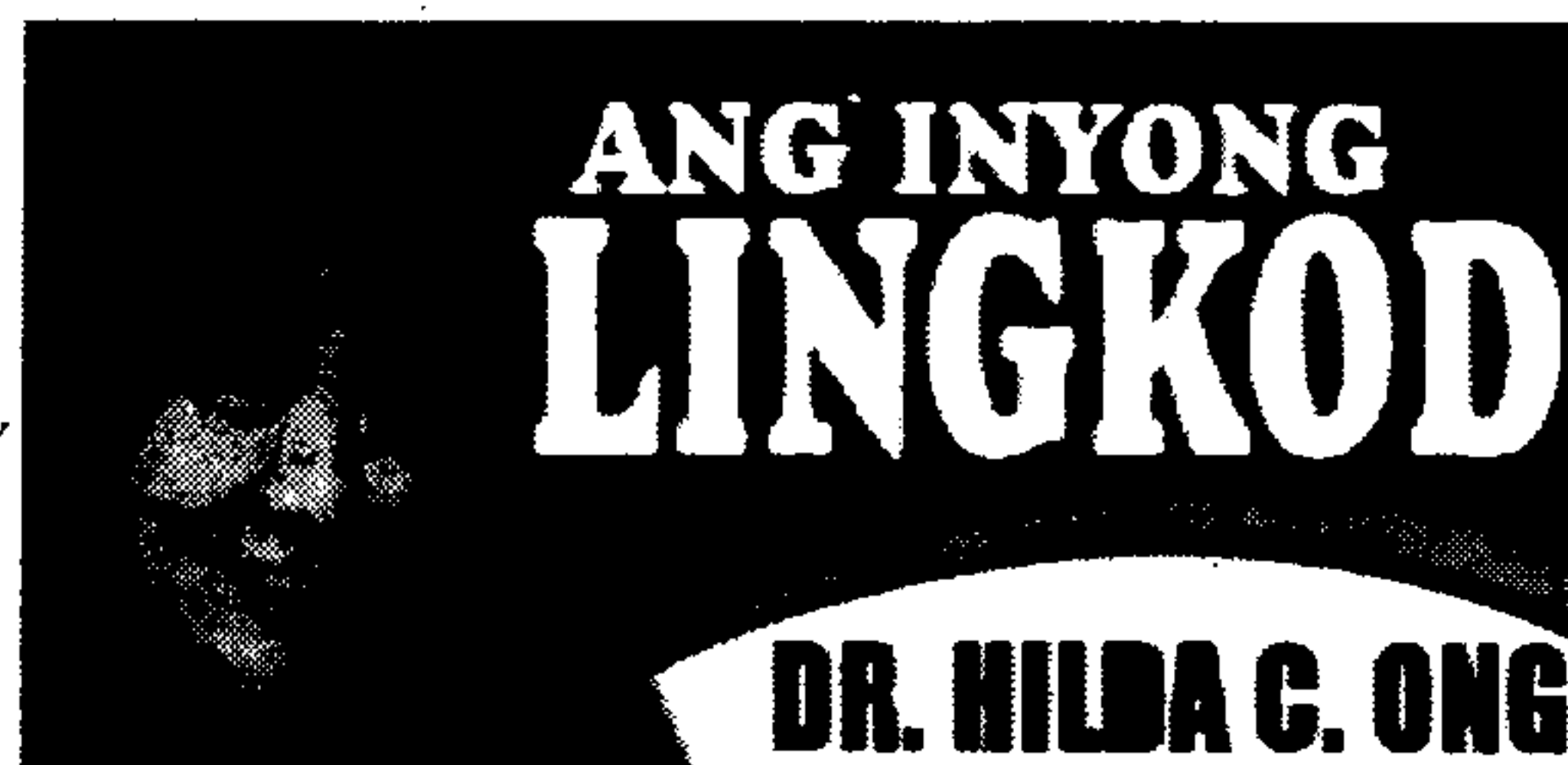
**BINABANTAYAN** ng in-yong lingkod ang situa-tion ng Angat Dam lalo na tag-ulan na ngayon. Kung titingnan natin ang ulat ng Provincial Disaster Risk Reduction and Management Council ukol sa antas ng tubig nitong Hulyo 7 (179.40 meters) at Hulyo 8 (179.35 meters), hindi tumataas ang lebel. Nasa "red mark" na nga-yon, ibig sabihin, nasa critical level na ang alo-kasyon para sa irigasyon. Ano na kaya ang isasaga-wa o paghahanda ng Na-tional Irrigation Adminis-tration (NIA)?

Ayon kay Dr. Seville D. David Jr., Executive Direc-tor ng National Water Re-sources Board (NWRB) kai-langan nating lahat magtipid sa paggamit ng tubig dahil kahit halos araw-araw nang umuulan ay patuloy pa rin ang pagbaba ng antas ng tu-big sa Angat Dam.

Umaasa tayong lahat sa ibinalita ng PAGASA na mas maraming ulan ang bubuhos sa buong bansa sa pagsapit ng buwan ng Agosto kung saan ay mas lalakas ang bugso ng hanging habagat na mas patitindihin dahil sa ina-asahang epekto ng La Niña phenomenon.

Hindi maganda ang idudulot ng La Niña para sa magsasaka, kung ang pala-yang sobra sa tubig, nagdu-dulot ito ng kaunting bilang ng suhay. Maaaring maba-wasan ang ani kung kakaun-ti ang bilang ng mga ito.

Mapapansin na stressed



### TUBIG TIPS PARA SA MAGSASAKA NGAYONG TAG-ULAN

ang palayan kung makikitid ang dahon nito at kulang sa sampo ang mga suhay nito. Ayon kay Engr. Kristine Pas-cual ng PhilRice Enginee-ring and Mechanization Di- vision, ang normal na palay ay may 10 hanggang 15 na suhay at ang kulay ng ugat ay dapat reddish brown o mas matingkad pa.

Dagdag pa riyan, ang sobrang tubig sa palayan ay maaaring magdulot ng pag-kaantala ng paglago ng hala-man, pagtagas ng sustansya sa lupa, at pagkakaroon ng methane gas na sumisingaw mula sa nakalubog na pala-yan. Ang methane gas ay naiipon sa himpapawid na nakakadagdag sa malawa-kang pag-init ng mundo. Hindi rin nakakukuha ng sapat na oxygen ang mga ugat na lu-bog sa tubig.

Ilan sa mga tips upang maiwasan ang sobrang tu-big sa palayan ay ang mga sumusunod:

Una, ipunin ang tubig sa pamamagitan ng water harvester tulad ng small farm reservoir.

Pangalawa, linisin at

ayusin nang mabuti ang mga pilapil at kanal bago sumapit ang madalas na pag-ulan.

Nakatutulong din ang may maayos at malinis na kanal para sa daluyan ng tu-big. Sa pamamagitan nito, naiiwasan ang pagkalubog sa tubig ng palayan.

Ipinapayo rin ni Engr. Pascual na tanggalin ang tu-big sa palayan, dalawang linggo bago umani. Ito ay ginagawa upang maging pantay ang pagkahinog at mapadali ang pag-ani ng pa-lay.

Nakatutulong din ito para mapasukan ng makinarya sa panahon ng pag-aani.

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## World's dirtiest river, bubuhayin ng Bulacan

Unti-unti nang nabubura ang dungis na dulot ng pagkakasama ng Marilao-Meycauayan-Obando River System (MMORS) bilang isa sa pinakamaruming ilog sa buong mundo bunga ng matinding polusyong itinatapon ng mga higan-

teng pabrika sa paligid nito.

Ayon kay Gov. Wilhelm M. Sy-Alvarado, pinag-iibayo ng provincial government ng Bulacan sa pamamagitan ng Bulacan Environment and Natural Resources Office (BENRO) at sa pakiki-

pagtulongan ng mga lokal na pamahalaan, residente, volunteer group at non-government organizations ang kampanya para sa muling pagbuhay sa nasabing mga ilog.

Idinagdag pa ng gobernador, hindi magiging madali ang pag-rehabilitate

sa mga ilog na ito lalo't hindi biro ang naging pagkasira nito, ngunit naniniwala siya na sa sama-samang pagkilos at pagmamalasakit, hindi malayong muling mabuhay at patuloy na makonserba ang mga nabanggit na kailugan. (Jun Borlongan)



## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### Health sector to Duterte: View climate change as medical, health emergency

BY CLAUDETH MOCON-CIRIACO

*Correspondent*

**H**EALTH and environmental advocates came together to urge President Duterte to come up with a cohesive and responsive health strategy that recognizes climate change as a threat to public health.

In a forum organized by international environmental health group Health Care Without Harm-Asia (HCWH-Asia) and the Laguna Lake Development Authority (LLDA), representatives from the Climate Change Commission (CCC), the Philippine Heart Center (PHC), Philippine College of Physicians and civil society emphasized how climate change poses serious threats to Filipinos' health, the Philippines being one of the most climate-vulnerable countries in the world.

"Climate change is now recognized as the biggest global health threat of the 21st century. We are seeing both its gradual and drastic effects on health, from subtle increases in infectious diseases to disability and death as a result of natural disasters," HCWH-Asia Director Ramon San Pascual explained.

"The climate issue is also an issue of social justice, because it is the poor who are most affected by the drastic impacts of climate change. We appeal to the administration of President-elect Duterte to heed our call by upholding laws that protect both the environment and people's health; promoting the use of renewable-energy sources; and supporting climate-resilient and environmentally sustainable hospitals and health systems," San Pascual said.

During the 69th World Health Assembly in Geneva in June, the Philippines cohosted a forum on climate and health as chairman of the Climate Vulnerable Forum, which is represented by 43 developing countries most affected by climate change.

At the forum, participating na-

tions agreed that governments worldwide should intensify policies, from implementing mitigation measures to reducing health sector's carbon footprint and strengthening health systems to be climate-resilient.

In the Philippines, the PHC has been showcasing leadership in greening health care through their various programs geared toward reducing their carbon emission through the use of solar-powered energy, energy efficiency, sustainable waste management and green procurement. The PHC is also part of HCWH's Global Green and Healthy Hospitals network.

The group also welcomed Executive Order (EO) 206, that former President Benigno S. Aquino III recently signed to provide for the adoption of a policy that would ensure the availability and sustainable management of the country's renewable-energy sources.

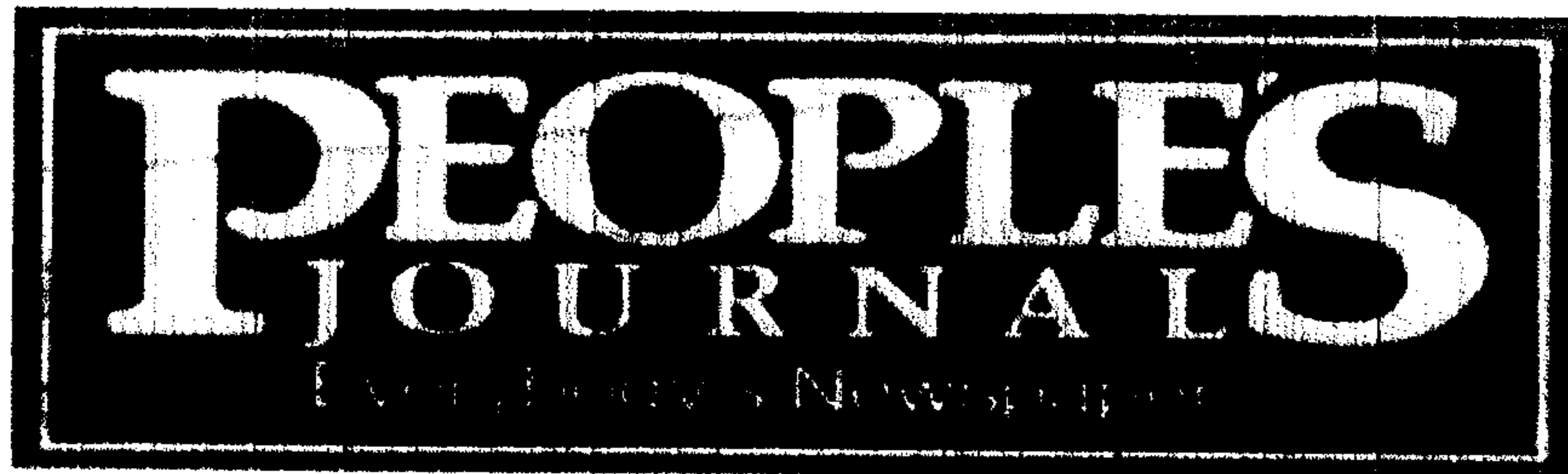
EO 206 supports the CCC's Resolution 2016-001, which will set in place a clear government policy on coal-fired power plants, the biggest source of man-made carbon emissions.

"Energy choices and policies have a major impact on both climate and health," San Pascual added. "We welcome EO 206 and CCC's Resolution 2016-001 and hope President Duterte will continue to uphold Republic Act 9513, or the Renewable Energy Act, and that he will support more policies that promote our transition to healthier energy sources."

Former Presidential Adviser for Environmental Protection and LLDA General Manager Neric Acosta also expressed his support to the health sector's call.

"Climate change is the defining issue of our time, and we should put people's health at the center when we address the climate crisis. We are optimistic that, because President-elect Duterte is a champion of social justice, he will also champion the Filipinos' well-being through climate and environment policies that protect our ecosystems and public health."





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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### S'pore unveils climate-change plans

SINGAPORE -- Singapore's President Tony Tan Keng Yam on Sunday announced the release of the country's Climate Action Plan at the joint opening ceremony of the World Cities Summit, Singapore International Water Week and CleanEnviro Summit Singapore 2016.

According to the joint release by National Climate Change Secretariat of Prime Minister's Office, Ministry of the Environment and Water Resources and Ministry of National Development, the Climate Action Plan is explained in two documents.

The first document entitled "Take Action Today: For A Carbon-efficient Singapore" spelt out the key strategies that Singapore would be taking to reduce greenhouse gas emissions to fulfill the pledge it made in support of the Paris Agreement.

Singapore has set a goal of reducing its greenhouse gas emissions intensity by 36 percent compared to 2005 levels by 2030. The city state is also working towards stabilizing its

#### ENVIRO-WATCH

emissions with the aim of peaking around 2030. These are ambitious targets, given Singapore's limited options for renewable energy.

The joint release revealed that improving energy efficiency will continue to be Singapore's key strategy to reduce greenhouse gas emissions, and plans have been made to expand the scope of current initiatives across all sectors, namely the power generation, industry, buildings, transport, household, waste and water sectors.

The second document entitled "A Climate-resilient Singapore: For A Sustainable Future" explained how Singapore may be affected by climate change and the Whole-of-Government strategy to prepare for them.

Singapore government has already started to strengthen the country's defense against climate change.

At the same time, given that cli-

mate science and projections continue to evolve, Singapore government will continue to review the adaptation plans to ensure that optimal solutions has been put in to protect the country and its people.

Singapore's Deputy Prime Minister, Chairman of the Inter-Ministerial Committee on Climate Change Teo Chee Hean said they hope more people will understand Singapore's comprehensive strategy to address climate change, and more importantly how they can play a part with the release of the plan.

"Our goal of building a more carbon-efficient and climate-resilient Singapore can only be achieved when the community and businesses work together with the government in making climate-friendly habits and practices a way of life," said Teo.

The 7th Singapore International Water Week, co-located with the World Cities Summit and CleanEnviro Summit Singapore, will be held in city state until Thursday.



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### Manila Water muling nagtanim ng mga puno sa La Mesa Watershed para sa Arbor Day 2016

ITINANIM kamakailan ng Manila Water ang suporta nito sa Arbor Day 2016 sa pamamagitan ng paglahok sa iba't ibang "tree-planting activities" sa bansa. Ilang mga empleyado ng kumpanya ang nag-boluntaryong magtanim ng mga punla ng puno sa La Mesa Watershed Reserve sa Quezon City, sa ilalim ng kampanyang Toka Toka para sa pangangalaga ng kapaligi-

ran. Nakiisa rin ang mga empleyado ng Clark Water, isang "subsidiary" ng Manila Water, sa hangarin ng Bataan Provincial Government na makopo ang Guinness World Record para sa "pinakamaraming maitanim na puno sa loob ng isang oras ng isang grupong walang takdang dami sa iisang lokasyon."

May 223,390 na punla ang naitanim sa paan-

an ng War Memorial Cross sa Mt. Samat, higit na marami kaysa sa huling "record" na 208,751 na punlang naitanim sa Punjab, India noong ika-30 ng Oktubre, 2015.

Patuloy na nagsasagawa ang Manila Water ng mga "tree-planting events" sa tungkulin nitong protektahan ang kalikasan, lalo na ang mga "watershed" na pinagmumulan ng tubig sa mga ilog at "dam."



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# The Standard

DEFINING THE NEWS

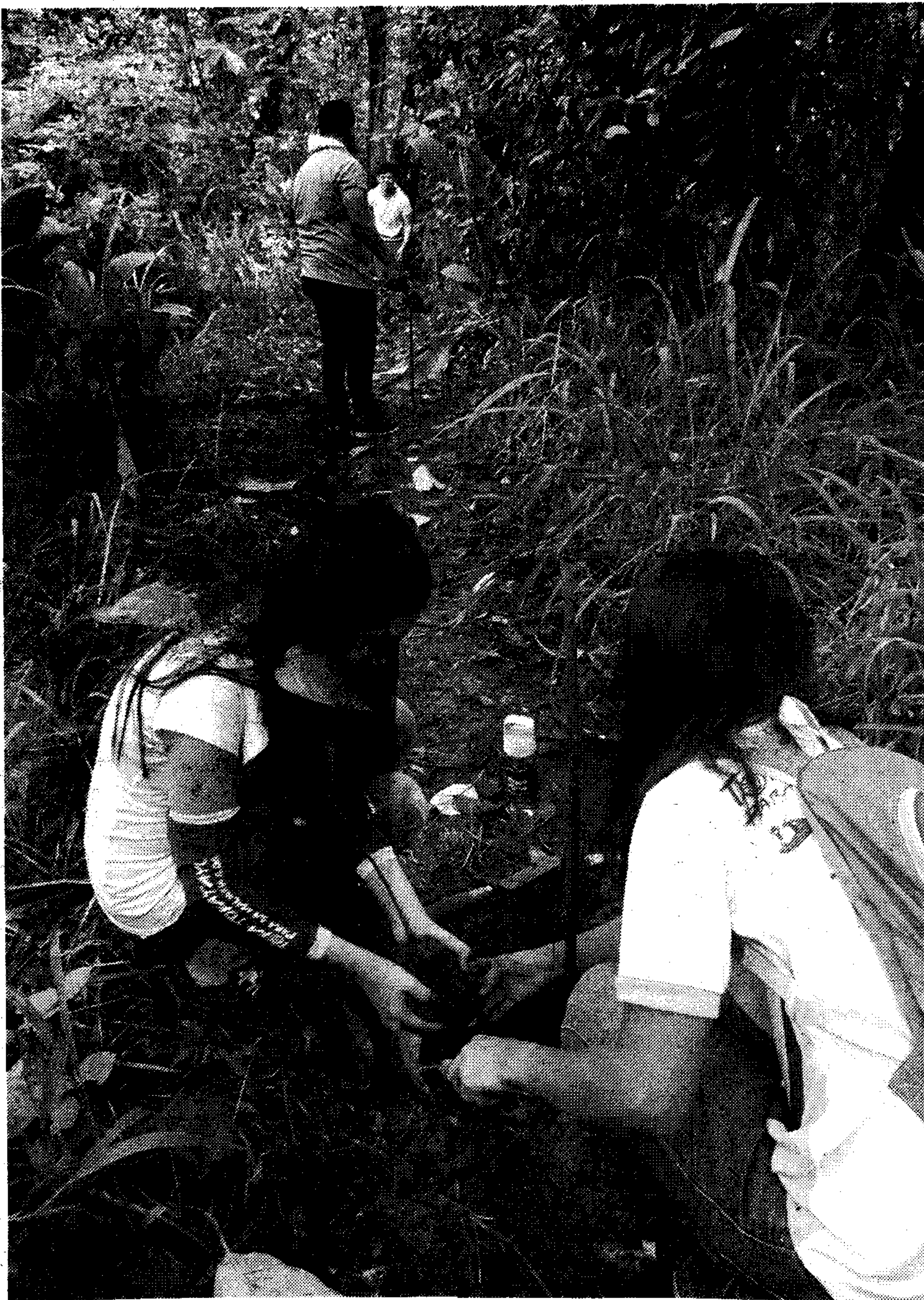
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**STRATEGIC COMMUNICATION AND INITIATIVES SERVICE**



## **Watershed protection.**

Employee volunteers of Manila Water Co. Inc. take part in a tree-planting activity under its TokaToka campaign for environmental protection in celebration of Philippine Arbor Day 2016 at the La Mesa Watershed Reserve in Quezon City. Manila Water has consistently organized and participated in tree-planting events in its commitment to protect the environment, especially the watersheds that provide raw surface water.



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Ilang empleyado ng Manila Water ang boluntaryong nakilahok sa "tree-planting activity" sa La Mesa Watershed Reserve sa Quezon City sa ilalim ng kampanya nitong "Toka Toka" para sa proteksyon ng kalikasan. Ito ay para sa pagdiriwang ng Philippine Arbor Day 2016. Patuloy na nagsasagawa ang Manila Water ng "tree-planting events" sa tungkulin nitong protektahan ang kalikasan, lalo na ang mga "watershed" na pinagmumulan ng tubig sa mga ilog at "dam."



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

## 24-year-old engineer is 2016 Ms. Southern Leyte

By NESTOR LABREMA TEA

TACLOBAN CITY, Leyte – Southern Leyte Governor Damian G. Mercado crowned 24-year-old Engr. Mary Diane E. Lesiguez as Miss Southern Leyte during the grand coronation night held last week at the Provincial Capitol Sunken Garden in Maasin City.

Governor Mercado was assisted by Miss Southern Leyte 2015 Ma. Karina Dizon.

Lesiguez represented the municipality of Macrohon, where she is the reigning beauty pageant titleholder.

She bested 17 other hopefuls from the across province which celebrated its 56th founding anniversary.

Completing her court are 4th runner-up Layra Cabatingan of San Juan; 3rd runner-up Jolliene Bagasbas of Pintuyan, 2nd runner-up Wella Cruz of Maasin City and 1st runner-up Lean Mae Palco Roa Lili of Malitbog.

Lesiguez is a chemical engineer presently connected with the Environmental Management Bureau (EMB) Regional Office No.7 based in Cebu City.

Macrohon Mayor Fe Gaviola Edillo said that having produced this year's Miss Southern Leyte is "indeed one legacy I am proud of in the pursuit of cultural identity of our municipality."



# The Manila Times

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

## JUDGMENT DAY:

## WHICH COUNTRY WILL TRIBUNAL FAVOR?

BY MICHAEL JOE T. DELIZO  
REPORTER AND  
JOEL SY EGCO  
SENIOR REPORTER

THE Philippines is confident of getting a favorable ruling from the Permanent Court of Arbitration (PCA) which is expected to decide on the case brought by Manila against Beijing today.

But will the decision put an end to the bitter territorial dispute over the West Philippine Sea (South China Sea)?

Analysts warned that whatever ruling the tribunal will hand down may put the United Nations Convention on the Laws of the Sea (Unclos) in jeopardy.

In an interview, renowned analyst Ramon Casiple said the tribunal may not likely decide in favor of China's 9-dash rule in asserting its sovereignty over disputed isles and shoals as it could hurt the fundamentals of the Unclos.

"An unfavorable decision may affirm Chinese claim. But it's dangerous in that it will set aside the fundamentals of Unclos," he told The Manila Times.

Casiple noted that if the decision favored Manila, "it will undermine China's claim."

"(China) already said it will not recognize the tribunal's decision. Which will also undermine the effectiveness of Unclos," he pointed out.

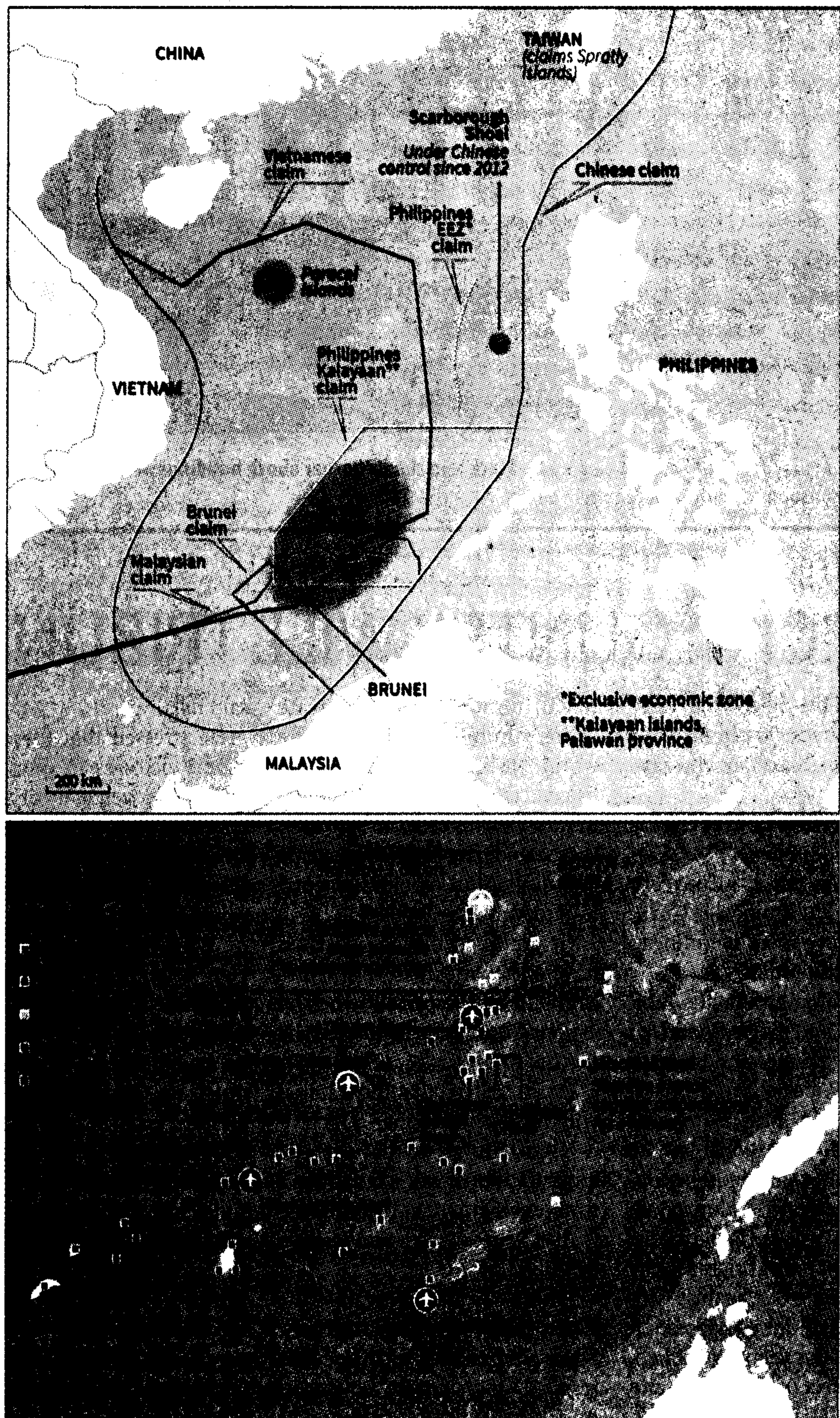
The PCA in The Hague will issue its award at 5 p.m. today, roughly eight months after it assumed jurisdiction over the case.

The Philippines filed the memorial in 2013 after more than 17 years of fruitless bilateral consultations with China.

The Philippines said it has the right to exploit the natural resources in its 200-nautical mile exclusive economic zone (EEZ) as allowed under the Unclos.

➤ Favor A2

### Disputed claims in the South China Sea



Sources: CSIS/AMTI/D. Rosenberg/Middlebury College/Harvard Asia Quarterly/Phil gov't/China Maritime Safety Administration

© AFP

**TERRITORIAL CONFLICT** Map shows disputed claims in the South China Sea (West Philippine Sea) including major outposts and facilities on the Spratly



# The Manila Times

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

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## WHICH COUNTRY WILL TRIBUNAL FAVOR?

China, on the other hand, bases its claim to almost 90 percent of the West Philippine Sea on ancient maps.

### Confronting threat

Rafael Alunan 3rd, Co-Convenor of the West Philippine Sea Coalition, said they expect the ruling to favor the Philippines.

"The coalition expects the Arbitral Tribunal and the free world led by the United States and Japan to uphold the (Unclos) and disregard China's 9-dash line. Whenever freedom and international law are threatened, the threat must be confronted and defeated," Alunan said in a statement released to the media.

"We fought for our rights in the West Philippine Sea against China's piracy and armed aggression for the past four years. We rallied, used the power of the media, and supported the government when they filed a case before the Arbitral Tribunal against China. We faced harsh words from China and gave it back to them to show that we cannot be bullied," he added.

Alunan said the country need to "shift gears" and "align with President Rodrigo Duterte's guidance to stay calm and curb our emotions."

"As Filipinos, we should act educated and not push China's face in the mud. In high stakes diplomacy, this behavior should be avoided.

It will unnecessarily aggravate China's humiliation before the world. In hindsight, had China listened to us and the world earlier to turn back in order to save face, they would have avoided incurring this disgraceful embarrassment," he stressed.

He admitted that the decision hovered above "sensitive and precarious times," especially when he expects China to be "wounded" by the UN ruling.

Experts agreed that the tribunal will rule against China.

"I am confident that the UN arbitral tribunal will scrap China's nine-dash line," said Supreme Court Senior Associate Justice Antonio Carpio.

"I think [a ruling] against the Philippines is highly unlikely. There's no chance of that," Professor Lionel Jensen, an expert on Chinese history, culture and politics, at the Notre Dame University, said.

But even if the PCA judgment favors Manila, Lauro Baja, former Foreign undersecretary for policy and Philippine permanent representative to the United Nations said the Philippines "cannot rest and call it an achievement" without having it leveraged in some other fora.

"Of course, the challenge for us is how to leverage that advantage,"

said Baja.

He stressed that there are no moral victories in questions of territorial sovereignty or maritime entitlement and that one cannot solve a question of territorial integrity or maritime entitlement solely on legal ground.

"What the department [of Foreign Affairs] or the Philippines may have missed is that they relied too much on the legal angle," he said. "Second, we relied too much on the panel and we put all our eggs in the panel. We should have had more foresight like the others."

### Joint exploration

Rosario Manalo, chairman of the High-Level Task Force on the Asean Charter and former Foreign undersecretary for international economic relations, noted that the tribunal's ruling came late since China has already built artificial islands in disputed areas.

"It's a little bit too late because the Chinese have already eaten up all the territories. They have their building activities, right?" she said.

Manalo explained that under international law, "the country who has physical control is the owner."

What the next administration should do, she suggested, is to "sit down and discuss with China

not the issue of ownership of the territorial waters but on how to work together, since our jurisdiction overlaps, and share the fruits of the sea."

The West Philippine Sea is believed to potentially hold huge deposits of oil and gas. It is also a rich fishing ground and a vital maritime route, where \$5 trillion of annual global trade passes through.

"That [resources] is what should be negotiated," Manalo said. "Don't raise anymore the issue of who owns what on territorial matter. That's a non-negotiable topic. That to me is what the next president should look into."

### Chexit

Activists on Monday staged a protest rally in front of the Chinese Embassy in Makati City (Metro Manila) to call for "Chexit" or China's exit from Philippine waters.

Bayan (Bagong Alyansang Makabayan) Metro Manila chairman Mong Palatino said several groups will continue to hold protests across the country until China leaves the West Philippine Sea.

"We ask our friends from other countries, especially our brothers and sisters in Southeast Asia, to call for 'Chexit.' It is a reasonable and just demand. China should stop bullying its neighbors," he said.



# BusinessWorld

## INCREASE YOUR BUSINESS INTELLIGENCE

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# Food forest farming

**F**orests are all too familiar to us. At least what comes to mind are trees, vines, and some wild animals. But food forest? I first heard about this concept a few weeks ago and I got curious as to what it is all about.

I checked Wikipedia's entry on forest gardening and defines it as "a low maintenance sustainable plant-based food production and agroforestry system based on woodland ecosystems, incorporating fruit and nut trees, shrubs, herbs, vines, and perennial vegetables which have yields directly useful to humans."

The other article that I found relevant is from Permaculture News with the title "Why Food Forests?" It describes it this way. "A food forest typically is comprised of seven layers, the uppermost layer being the canopy layer. The canopy layer is comprised of tall trees — typically large fruit and nut trees. Between the tall canopy layer trees, there is a layer of low growing, typically dwarf fruit trees. Mind you, a dwarf fruit

tree can be up to 4m (12ft) tall, so don't think these are necessarily very low trees! Nestled between all the small trees are the shrubs — which are well represented by currants and berries. Filling the remaining space are the herbaceous layer, these are the culinary and medicinal herbs, companion plants, bee-forage plants, and poultry forage plants. Any remaining space is occupied by ground cover plants. These form a living mulch that protects the soil, reduces water loss to evaporation, and prevents weeds growing. We can still go a level deeper to the rhizosphere, or root zone, the underground level which is occupied by all four root crops, such as potatoes, carrots, ginger, yacon, etc. While that might seem like a lot of plants in one space, we still have one more to fill, the upright vertical space. This is filled by climbers and vines, which can be run up trellises, arbors, fences, trees or any other vertical support. This category includes grapes, climb-

ing beans, many berries, passion fruit, kiwi fruit, climbing peas, chokos and many other species that love to climb."

After reading these articles, I then realized that this type of farming system is nothing new to us. This is what farmers in Batangas and Cavite have been doing all these years. Under the coconut trees, they plant fruit trees like jackfruit and coffee. In between the trees, they plant some rows of black pepper and bananas. With some space still left they plant pineapples, vegetables, and forage crops. They also keep a head or two of cows for fattening. That's where forage crops come in handy. For fencing their property, they make use of madre de cacao. These are pruned regularly and trimmings are used as cattle feed.

There are a number of benefits from this type of farming system. For one, a farmer can maximize the use of his land and family labor. It gives his family multiple sources of income than

a typical farm that is only planted with rice, corn, or coconut. Monocropping has been the scourge of our farmers that keeps them in the vicious cycle of poverty.

### FOREST GARDENING

What we refer to locally as "multistorey crop farming" or "condominium farming" is now commonly referred to in the world as forest gardening and, of late, "food forest farming."

In the 1980s, Robert Hart coined the term "forest gardening" after adapting the principles and applying them to United Kingdom's temperate climate. He observed that the natural forest can be divided into distinct levels. He used intercropping to develop an existing small orchard of apples and pears into an edible polyculture landscape consisting of the following layers:

1. "Canopy layer" consisting of the original mature fruit trees
2. "Low-tree layer" of smaller nut and fruit trees on dwarfing root stocks
3. "Shrub layer" of fruit bushes
4. "Herbaceous layer" of perennial vegetables and herbs
5. "Rhizosphere" or "under-



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Food forest farming

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Fern, another advocate, used  
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#### M. A. P. INSIGHTS JOSE RENE C. GAYO

**Using forest gardening, farmers can maximize the use of their land. It also gives their families multiple sources of income than typical farms planted only with rice, corn, or coconut.**

his book *Plants for the Future*. Of late, the term "food forest" has been used, especially among those who practice permaculture. I prefer to use food forest because of its significance to providing food security for small family farms and its origin was inspired by the design of natural forests.

#### FROM GARDENING TO FARMING

Advocates of food forests have developed various types of garden models in various parts of the world: from urban areas in highly-developed countries to rural areas in very poor countries; from temperate zones to arid areas. They have proven that such a system works.

But the big challenge is, can it work in a farming environment where farm families are merely eking out for survival? I think so.

First of all, the principles of food forests were derived from

Mother Nature itself; forest ecosystem has survived after millions of years. This in itself is a proof that such a system works.

Second, food forests have been shown to be a significant source of income and food security for local populations. As proof, cultures all over the world where it has been practiced as age-old traditions, such farming system has survived the test of time. In the Philippines, it has been practiced by Batangas and Cavite farmers, and has proven to be effective in improving the lives of farmers.

Third, education and training are most critical in changing the mindsets of our farmers from mere mono-crop cultivators to multi-crop agripreneurs. There is a science in growing each type of plant. How much more when you combine seven or more types of crops in one farm?

What would be the results of our inaction? Mono-cropping and traditional agricultural practices are destroying our farms through the use of chemicals, contributing to soil erosion in sloping areas, and ravaging fragile ecosystems. Should we choose to close our eyes to these realities, then the doomsday scenario is the choice we will make for future generations."

I hope the new leadership in the Department of Agriculture shall make this a priority area for promoting food forest farming in the country. ■

*(The article reflects the personal opinion of the author and does not reflect the official stand of the Management Association of the Philippines or the MAP.)*

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

## Carpio cites options for PH in sea dispute

By Bernadette E. Tamayo

JUSTICE Antonio Carpio said the Philippines has several options, including seeking the help of the United Nations General Assembly, to compel China to obey the ruling of the arbitration tribunal—granted it will rule in favor of Manila's petition to invalidate China's 9-dash line.

He made the remark when asked about any possible worst scenario that the Philippines may face should the international tribunal rule in favor of the Philippines and China rejects it.

"China already announced that it will ignore the ruling of the tribunal and we expect that. That's why we have to think beyond the ruling and fortunately our allies have said, 'We will sail, we will fly (over the Spratlys),' to negate the claim of China in the South China Sea," said Carpio.

"We can sponsor a resolution in the (UN) General Assembly that China must comply with the international law, with the ruling, (and) must not be a rouge state. Nicaragua did this in the 1980s. The US placed mines in the harbor, waters of Nicaragua," he said.

Nicaragua sued the United States in the ICJ (International Court of Justice) that the US violated its territorial integrity. "The ICJ (later) said the US violated the territorial integrity of Nicaragua and must pay damages fixed at \$30 million."

However, the US rejected the ICJ ruling on the ground that it has no jurisdiction over the dispute. "So, Nicaragua went to the General Assembly, sponsored a resolution that the US must comply with the (ICJ) ruling," said Carpio.

He noted that 95 percent of the decisions of the international tribunal were eventually complied with. "Initially they will not comply but they end up complying because the cost of not complying is higher than the cost of complying."

"In the case of China, we will not be alone. Nicaragua was alone. We will not be alone. Vietnam will use the same ruling. Malaysia will use the same ruling," said Carpio.

"So, I think at the end of the day, they will be compliant. It will take time so we have to persevere and call it an inter-generational struggle. It may not be settled during our lifetime but we must lay the foundation," he added.

### Spratlys row 'not worth' a war

Carpio maintained that the Philippines, with its weak external defense system, cannot afford to wage war with China.

"We will definitely not start a war with China — a war that we all know we will certainly lose. We don't have the means. Now, between China and the US they will not start a war because they do not want to destroy each other over a few rocks," said Carpio.

"That's why (US President Barack) Obama did not send American soldiers to the Scarborough Shoal even if it is a Philippine territory," he said.

"No American president will send young Americans to die on the rocks in the Spratlys. They will not go to war over it. They will position themselves. But this is not worth a war," said Carpio.

In 2012, China seized Scarborough Shoal from the Philippines. In November 2012, following a three-month standoff between Philippine and Chinese vessels around the shoal, China informed the Philippines that Chinese coast guard vessels would "remain permanently" on the shoal which has an area of 58 square miles or 150 square kilometers (15,000 hectares).

Located 124 nautical miles from Zambales, Scarborough Shoal is rich in fisheries and is one of the traditional fishing grounds of Filipino fishermen. The shoal is a high tide elevation with the biggest rock protruding 1.2 meters above water at high tide.



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***Kaso ng Pinas vs China,  
dedesisyunan ngayon***

Kumpiyansa ang pamahalaan na pabor sa Pilipinas ang magiging ruling ng international tribunal sa ilalim ng United Nations on the Law of the Sea (SEA) na inaasahang ipalalabas ngayong araw kaugnay sa isinampang maritime case ng bansa laban sa China sa pinag-aagawang teritoryo sa West Philippine Sea o South China Sea.

Ayon kay Foreign Affairs Spokesman Charles Jose, ngayong hapon magpapalabas ng ruling ang UN Permanent Court of Arbitration sa The Hague, Netherlands matapos ang mahigit tatlong taong pagdinig nang maisampa ang kaso ng Pilipinas noong Enero 2013.

Sa nasabing ruling, malalaman kung may karapatan ang China sa pagsakop nito sa 200 nautical miles exclusive economic zone (EEZ) ng Pilipinas kung saan tinamaan sa sinasabing 9-dash line claim ng China ang teritoryo sa WPS.

Nag-ugat ang kaso matapos na balewalain ng Chinese government ang tambak na diplomatic protest ng Pilipinas dahil sa panggigipit ng Chinese troops sa WPS.

Iginiit ng China na "undisputed" o sa kanila ang nasabing mga teritoryo sa South China Sea at itinataboy ang mga Pinoy fishermen sa lugar.

Habang gumugulong ang kaso sa UN tribunal, nagtayo pa ang China ng artipisyal na isla, military base at airbase sa WPS at ipinagbawal pa ang paglalayag ng mga barko sa lugar. Dito, umalma ang international community matapos na maapektuhan ang "freedom of navigation" sa South China Sea na malinaw na lumalabag ang China sa international law. (Ellen Fernando)



**STRATEGIC COMMUNICATION AND INITIATIVES SERVICE**

## Yasay's priorities

### AT LARGE

*Rina Jimenez-David*



cial meeting. But given the series of faux pas that Yasay has been committing in relation to the China issue, and the allegations of corruption (there are existing cases, in fact) against him, I wonder if the tough-talking former mayor of Davao City hasn't had occasion to rue his appointment of Yasay. Indeed, this early, Yasay has let his inadequacies in the field of diplomacy reveal themselves. Telling, indeed, is the refusal of Ambassador to the United States Jose Cuisia to serve in a holdover capacity, saying he has "problems" with Yasay regarding the latter's "integrity."

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OF course, weighed against the significance of the Arbitral Tribunal's decision, the issue of the passport printing, which took several years to settle, would seem a minor concern.

But before the contract was given to APO, a certified government printer of security forms under the Presidential Communications Operations Office, the passport "job" was indeed a lucrative operation. Questions, though, had been raised about the wisdom of allowing a private printer to carry out the responsibility of producing passports, which are any country's "highest form of identity" and which contain vital information on every citizen wishing to travel abroad.

This, critics pointed out, presented a huge security risk, putting confidential information in the hands of a foreign private supplier. Add to this the ability of the private suppliers to impose prices for the passport clearly disadvantageous to the government.

Recall, too, that in recent years complaints had proliferated about the backlog of passports, as well

as the quality of the documents that were being produced. Only recently has the backlog been eased, since APO took over the printing and production of passports, addressing as well issues like shoddy binding and the ease with which the old-style passports could be faked. This latter issue not only served as an inconvenience for Filipino travelers, but also put the integrity and reputation of the entire Philippine government on the line.

To address lingering security issues surrounding Philippine passports, APO embarked on a project to design and produce new "e-passports," which carry computer chips to ensure security for every document, as well as security features in the design and production of each passport, making the passport difficult, if not impossible to fake.

In a few short weeks, the new e-passports will be coming off the line, with passport No. 001 designated for President Duterte.

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BUT not if Yasay will have his way, it seems. Right now, the DFA chief has been making the rounds alleging that APO does not even have its own printing facility (even if he has yet to visit the new APO printing plant in Limay, Bataan, where Bureau of Internal Revenue tax stamps are being printed, along with the new passports).

Yasay has even asked the BSP to resume printing of the passports, even if the latter has informed him that it was no longer interested in printing passports and just wanted to concentrate on printing bank notes.

Suspicious, too, in its timing is the filing of charges by the president of the APO labor union against APO officials regarding the use of sales agents in the early years of the new APO management when it was struggling to put the then-bankrupt agency back on its feet. Perhaps it's good to remember that one of the last acts of P-Noy was to commend APO among other government-owned and -controlled corporations for not only getting back to healthy footing but also for remitting to the National Treasury, for the first time in many years, profits it has since earned.

LATER TODAY, the UN Permanent Court of Arbitration in The Hague is expected to hand down its ruling on the case filed by the Philippine government regarding China's territorial claims over much of the South China Sea.

The ruling, widely believed to be in favor of the Philippines, should settle once and for all disputes over who has the right to fish and mine in the disputed areas. In the past months, Filipino fishermen have complained about being "chased away" by foreign vessels, mostly Chinese, from areas in which they had long been fishing. These incidents have highlighted disputes among China and other countries that share the South China Sea coastline. It also promises to influence the conduct of Philippine-China relations in the future, along with our regional neighbors.

So during the Cabinet meeting immediately following the inauguration of President Duterte, it was widely expected that the dispute with China, soon to be decided by the international tribunal, would be top of mind among the Cabinet members. Most prominent and obvious of them would have been Foreign Secretary Perfecto Yasay, who will have to deal with the foreign-policy consequences of the decision, not to mention our standing in the world.

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BUT according to reports, what preoccupied Yasay during that crucial Cabinet meeting was not the pending case or overtures being made by Chinese officials regarding "shared development" of the disputed areas.

Instead, the foreign secretary brought up a seemingly trivial matter, at least in the global scheme of things: the printing of passports by the government printer, APO Production Unit, which has been proceeding apace. Yasay supposedly insisted that the printing of passports, previously done by a private supplier under the supervision of the Department of Foreign Affairs and the Bangko Sentral ng Pilipinas, be resumed under the old arrangement.

The public doesn't know what went through President Duterte's mind, hearing this seemingly trivial matter being brought up during such a cru-



**STRATEGIC COMMUNICATION AND INITIATIVES SERVICE**

## The unfortunate Mr. Yasay

IS FOREIGN Secretary Perfecto Yasay a traitor in the making? I may be wrong, but I think the existing jurisprudence holds that treason is a wartime offense; since we are not at war with China, Yasay's pro-China remarks cannot be treasonous. To quote from Justice Gregorio Perfecto's influential concurring opinion in *Laurel vs Misa*: "While there is peace there can be no traitors. Treason may be incubated when peace reigns. Treasonable acts may actually be perpetrated during peace, but there are no traitors until war has started." Perhaps Yasay's treason is only in incubation.

The accusation has been leveled at him with increasing frequency since his startling interview with the Manila bureau of Agence France-Presse over the weekend, when he seemed to have adopted an appease-China-at-all-costs policy. He or his office has since issued at least two rejoinders, to clarify his position. In response, AFP released a copy of the transcript of the interview.

It makes for upsetting reading.

The overall impression it makes—I speak for myself and apparently for many others who took to their social media accounts after reading the transcript—is that of an agent who seems to mouth the talking points, but does not understand the objectives, of the principal. In this case, the principal is not President Duterte but the Philippines itself.

So he says what many of us should already know (but likely still don't).

"We have not made any submissions with respect to asking the arbitral tribunal for a declaration that we own specific features in the disputed territory or the exercise of sovereignty in any disputed feature we claim as our own." In other words, and correctly so, he says that the Philippines vs China case does not seek a ruling (an award, in the parlance of international law) on either sovereignty or delimitation, because in fact the arbitral tribunal constituted under the UN Convention on the Law of the Sea (Unclos), convened by the International Tribunal on the Law of

### NEWSSTAND

*John Nery*



the Sea, and hosted by the Permanent Court of Arbitration at The Hague, cannot rule on matters of sovereignty or delimitation.

Then Yasay says: "If it is in favor of China, we will respect that. If it is in favor of the Philippines, we would hope that China will respect that as well. Both these countries—China and the Philippines—have affirmed their adherence to international law and the rule of law and we would like to make sure in this particular case, with the arbitral tribunal when they come up with their decision, that principle will follow." Except that all this is false objectivity. China has already made clear, in its official acts and in the long, exhausting propaganda campaign it has waged in the run-up to today's release of the tribunal ruling, that it does not recognize the tribunal and will not abide by the ruling.

China has called the tribunal a "law-abusing" forum, has spread innuendo about the judges who make up the tribunal, has called the expected ruling "a piece of trash paper," and has called the entire, carefully calibrated process outlined in the Unclos "an abuse of international law and the international arbitration mechanism."

Perhaps Yasay is merely showing his newbie's colors; he is still learning to speak in diplomatese. That is the charitable view. The harsher view is he is either naive or pro-China. Consider his explanation of President Duterte's marching orders, that he was looking for a "soft landing" after the ruling is handed down. This is what Yasay said:

"It only simply means, whatever that decision

will be, let us not come up with provocative statements that will serve no other purpose but to heighten tensions because the Philippine Constitution also mandates that we must settle our disputes peaceably through negotiations. We renounce war strictly as an instrument of national policy." But is war the only alternative? This is what China wants many to believe, that it is, in President Xi Jinping's words, "not afraid of trouble." It is unsettling to read the country's top diplomat misunderstand the nature of, the possibilities opened up by, a diplomatic victory.

Other disturbing points are made (or unmade), including the dangerous belief that bilateral talks with China will help lead, finally, to the Asean-China Code of Conduct (meant in part to compensate for the weakness of individual Asean members conducting bilaterals with China). But the worst thing Yasay said in the interview amounted to a dismemberment of the Philippines. "It's my understanding that in the long course of history, Scarborough Shoal has been the traditional fishing grounds not only for Filipinos but also Vietnamese, Chinese. We can continue with this arrangement." Two days after the interview, Yasay issued a clarification (I did not, in fact, hear this radio interview; I have only read reports of it). He said Scarborough Shoal, which is only about 120 miles west of Zambales province, "continues to be [in] international waters."

I can imagine President Duterte or the many able lawyers who surround him issuing a forthright rejoinder: Whatever Yasay will do can never be treason, because his objective, and that of the administration's, is precisely to avoid war with China. No one wants to go to war; that's what diplomacy and international law are for, to assert our rights and our claims without recourse to violence. It is unfortunate that, even before he starts, Yasay has surrendered on his mind.

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## STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

### 3 miners die in Surigao del Norte tunnel

BUTUAN CITY — Three gold miners died after reportedly being suffocated by poisonous gas inside a mining tunnel at Barangay Ellaperal, in Placer town, Surigao del Norte on Friday afternoon, a sketchy report reaching this city yesterday said.

Danilo B. Arco, the only survivor among four miners who crawled into the tunnel, identified his ill-fated companions as Joar B. Olayvar, 30, Francisco Danielco, 27, and a certain Ritsobal, all residents of Placer town.

Arco said his companions died from suffocation after still unknown poisonous gas filled the tunnel.

He added that he only managed to crawl out of the tunnel, which had started to collapse because of continuous rain in the area, and report the incident to the Placer Municipal Police Station (PMPS).

Arco recounted that he and his companions were already in the tunnel for about two hours when they started feeling dizzy and experienced difficulty in breathing.

Initial investigation conducted by the Placer MPS showed that six miners were conducting a clearing operation on the tunnel in preparation for their small-time mining operation in Ellaperal when the incident happened.

Arco confirmed this but said the two other miners did not join them in the tunnel.

Search and rescue operation were conducted by the authorities at around 4 p.m. on Friday and found the three miners inside the tunnel.

Placer MPS is still conducting further investigation to determine the source of the alleged gas leak inside the tunnel.

Meanwhile, Regional Director Alilo C. Ensomo of the 13th Mines Geo-Sciences Bureau (MGB) ordered the immediate closure of small-time mining operations in El-

laperal area.

"We already asked before the barangay officials to help us in stopping this small-time mining operations. This time we will ask the police and Army authorities to help us stop the small time mining operations there," Director Ensomo told Manila Bulletin yesterday. (Mike U. Crismundo)



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### 3 minero patay sa poisonous gas

BUTUAN CITY – Tatlong minero ang nasawi matapos ma-suffocate ng nakalalasong amoy sa loob ng isang minahan Biyernes ng hapon sa Barangay Ellaperal, Placer town, Surigao del Norte. Patay na nang madatnan ng mga pulis ang mga minero na sina Joar B. Olayvar, 30-anyos, Francisco Danielco, 27-anyos, at isang 'Ritsobal' na pare-parehong residente ng bayan ng Placer. Ayon sa survivor na si Dario B. Arco, 27-anyos, pinasok nilang apat ang isang minahan habang naghihintay sa labas ang dalawa pa nilang kasamahan. Matapos ang dalawang oras ay nagkaroon ng hindi kanais-nais na amoy sa loob na agad ikinahilo nilang apat. Tanging si Arco lamang ang nakagapang palabas ng minahan, kaya naman agad nitong ini-report sa pulis ang mga pangyayari. Samantala nanawagan naman si 13th Mines Geo-Sciences Bureau (MGB) Regional Director Alilo C. Ensomo na manmanan ng awtoridad ang kanilang lugar upang pigilan ang mga ilegal na small-mining activities. **(Mike U. Crismundo)**