

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DATE : 14 JUL 2016

DAY : Thursday

DENR

IN THE NEWS

The Manila Times

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

MGB sets stricter mines audit rules

ENVIRONMENT Secretary Regina Paz Lopez only wants to raise the bar on responsible mining with a new round of audit of all operating mines in the country, the Mines and Geosciences Bureau (MGB) said on Wednesday.

In a telephone interview, MGB Director Leo Jasareno said they would impose a stricter set of criteria in their audit, which will cover some 105 metallic and non-metallic mines nationwide, including quarrying and small-scale mining.

"The comprehensive review will focus on the companies' compliance with the requirements of the Mining Act of 1995, Environmental Compliance Certificate, Forestry Law, and other laws pertaining to mining. We want to see whether a specific violation would entail suspension of operations," Jasareno said.

Jasareno was reacting to a recent call from the Chamber of Mines of the Philippines (COMP) to release the list of cancelled mining applications and companies violating mining laws.

"After six years of review, it is now incumbent upon the MGB to report the results to the new Secretary before another comprehensive review is undertaken," COMP executive vice president Nelia Halcon said.

Since 2010, MGB has been undertaking an assessment of all mining permits and agreements

under its "use it or lose it" policy in a bid to purge the system of non-moving mining applications.

Section 3 of EO 79 also calls for a review of the performance of existing mining operations and a continuation of the cleansing of non-moving mining rights holders.

The EO states, "The review shall be based on the guidelines and parameters set forth in the specific mining contract or agreement and on other pertinent laws, rules and regulations such as the Mining Act of 1995 and the Labor Code."

Halcon said the moratorium on new mining permits jeopardizes investments in the mineral development sector and impedes on the otherwise positive investment environment created during a recent business forum in Davao City.

"A continuing moratorium on new mining projects only breeds more confusion and uncertainty particularly on capital-intensive and risky mining business," she added.

Environment Secretary Regina Paz Lopez earlier issued DENR Memorandum Order 1-16 imposing a moratorium on the approval of new mining projects. She said she will not allow new mining activities under her watch even if they would pay higher taxes.

The order takes effect immediately and "shall remain in force and in effect until for-

mally terminated."

New round of audits

On Wednesday, Jasareno said that the new round of audits will look beyond regulatory requirements to include the social and economic impact of the mining operations nationwide.

The MGB chief, citing the results of their initial review on mining companies, confirmed that there are frequent violators of mining rules and regulations.

"You'll be surprised with the number of companies violating the conditions of their contract... majority of which were slapped with equivalent amount of penalty depending on the discretion of who conducted the review," Jasareno said.

"With the new round of audit, there will be a list of criteria they need to comply with, otherwise they may face suspension," he said.

Jasareno, however, refused to name the companies included in the list of violators, saying that they have already submitted documents to the DENR secretary.

Meanwhile, anti-mining group Alyansa Tigil Mina (ATM) welcomed the immediate conduct of an audit of all mining project, a moratorium on mining applications, and Lopez's personal position against open-pit mining.

JAMES KONSTANTIN GALVEZ

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Gov't tightens audit standards for miners

By LOUISE MAUREEN SIMEON

The Mines and Geosciences Bureau (MGB) has imposed stricter audit standards for mining companies as part of efforts to put a stop to irresponsible mining.

MGB director Leo Jasareno said Environment Secretary Gina Lopez wanted to raise the bar on

responsible mining in the country with a stricter set of criteria in the audit of around 105 metallic and

non-metallic mines nationwide, including quarrying and small-scale mining.

"The comprehensive review will focus on the companies' compliance with the requirements of the Mining Act of 1995, Environmental

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Gov't... From B-1

Compliance Certificate, Forestry Law, and other laws pertaining to mining. We want to see whether a specific violation will entail suspension of operations," Jasareno said.

He added that the new round of audit would look beyond regulatory requirements such as the social and economic impact of the mining operations nationwide.

Based on the initial review on mining companies, the MGB chief confirmed there were frequent violators of mining rules and regulations.

"You'll be surprised with the number of companies violating the conditions of their contract, majority of which were slapped with equivalent amount of penalty depending on the discretion of who conducted the review," Jasareno said.

"With the new round of audit. There will be a list of criteria they need to comply with, otherwise they may face suspension," he added.

However, Jasareno refused to name the companies included in the list of violators, saying they have already submitted their findings to the DENR secretary.

The Chamber of Mines of the Philippines (COMP) on Tuesday called for

the release of the list of cancelled mining applications and companies violating mining laws.

Just recently, Lopez issued her first memorandum order on the official audit of all operating mines and the moratorium on the approval of new mining projects.

In Memorandum Order No.2016-01, she ordered the audit of all operating and suspended mines while the moratorium covers the acceptance, processing and approval of applications and projects for all metallic and non-metallic minerals.

The order takes effect immediately and "shall remain in force and in effect until formally terminated."

Mining firms, however, decried Lopez's directive,

which they said, would likely delay mining investments in the country.

"A continuing moratorium on new mining projects only breeds more confusion and uncertainty particularly on capital-intensive and risky mining business," COMP vice president Nelia Halcon said.

Meanwhile, non-government organization Alyansa Tigil Mina (ATM) lauded Lopez on her first order but remained firm that "responsible mining remains to be a myth and it has no legal definition yet."

She also pushed for the passage of the Alternative Minerals Resources Bill (AMRB) to frame the legal and operational definition of responsible mining.

"We challenge both the COMP and the DENR to seriously consider the AMRB as a starting point to discuss the concept of responsible mining. We assert that 'responsible mining' cannot be reduced to ISO certification, as earlier proposed," ATM national coordinator Jaybee Garganera said.

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MGB: DENR audit order meant to improve mining standards

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MGB: DENR audit order meant to improve mining standards

THE Mines and Geosciences Bureau (MGB) said the Department of Environment and Natural Resources (DENR), in ordering an audit of all operating mines in the country, only wants to improve standards on responsible mining.

Leo Jasareno, MGB director, said a stricter set of criteria would be imposed for the audit, which covers around 105 metallic and non-metallic mines nationwide including quarrying and small-scale mining practitioners.

"The comprehensive review will focus on the companies' compliance with the requirements of the Mining Act of 1995, Environmental Compliance Certificate, Forestry Law and other laws pertaining to mining. We want to see whether a specific violation would entail suspension of operations," Jasareno said.

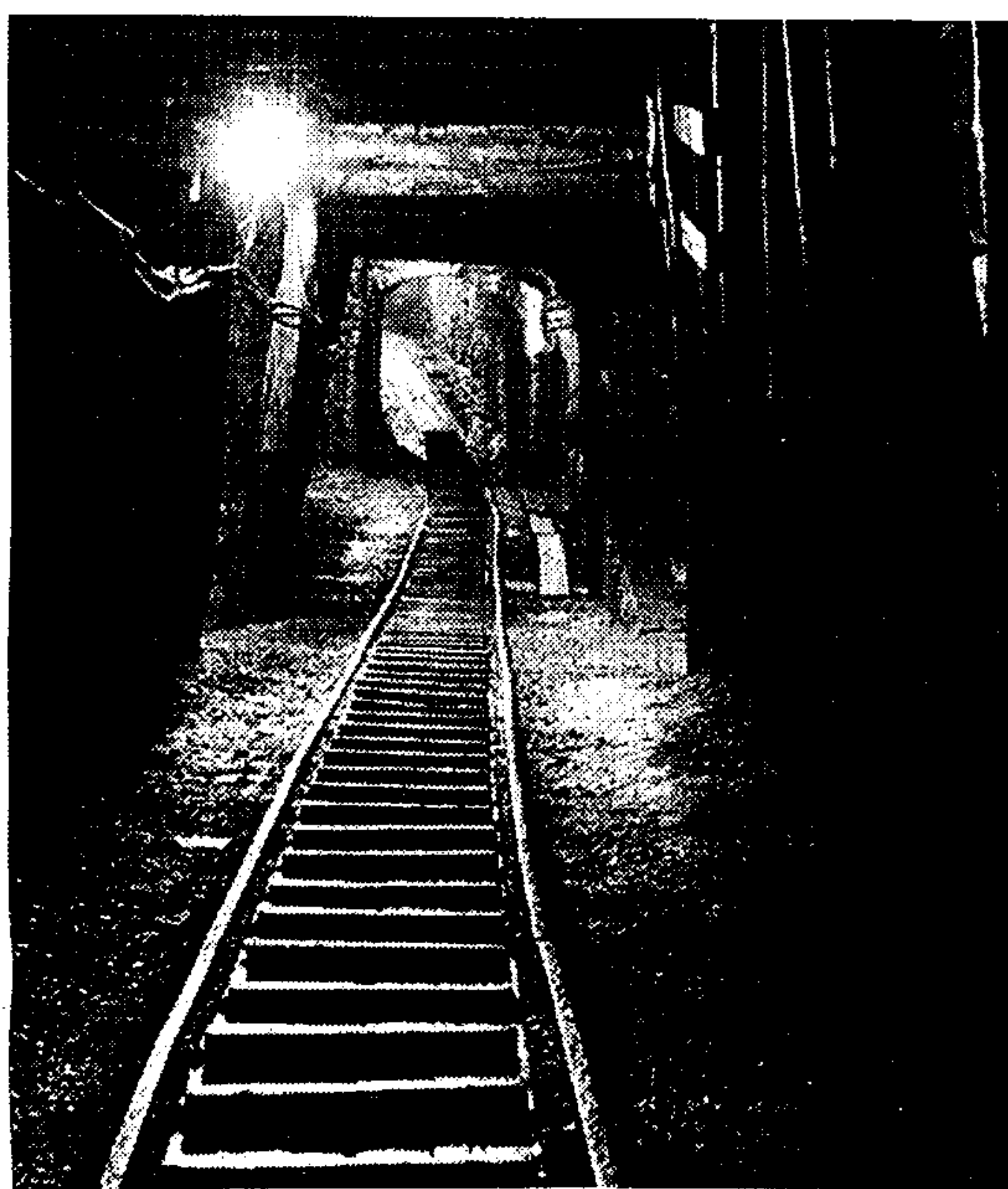
He added the new round of audit will look beyond regulatory requirements as it would include social and economic impact of the mining operations nationwide.

Based on initial review, he said, there are identified frequent violators of mining rules and regulations.

"You'll be surprised with the number of companies violating the conditions of their contract... majority of which were slapped with equivalent amount of penalty, depending on the discretion of who conducted the review," noted Jasareno.

"With the new round of audit, there will be a list of criteria they need to comply with. Otherwise, they may face suspension," he stressed.

Jasareno declined to name the companies included in the initial list of violators, but said the agency has submitted the documents to DENR secretary Regina Lopez.



The audit covers around 105 metallic and non-metallic mines.

Earlier, Lopez said she is pushing for certain amendments in the mining laws to improve the benefits given to communities where mining projects are located.

"More money should go to the communities directly. As much as more... And they should pay for all the minerals they get from our soil, some of which are precious, not just the nickel," she recently said in a text message.

The Chamber of Mines of the Philippines (COMP) said the DENR's order which implements a moratorium on new projects will impede the positive investment environment earlier created by the Duterte administration.

COMP had said the government should focus on the mining industry where various mining projects with capital investments worth over \$23 billion are expected to be operational until the year 2019.

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Experts see scant short
term impact on nickel from
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Experts see scant short term impact on nickel from PH mine crackdown

MANILA/LONDON - An environmental crackdown on Philippine mines, which helped drive nickel prices to eight-month highs, is likely to have only a muted impact on exports to China in the short term because the biggest mines have met guidelines, experts said.

The Philippines is the biggest exporter to top metals consumer China of nickel ore, used to make stainless steel.

A smattering of smaller mines are likely to be affected in coming months and new mines will probably face tough going in the future, but the review of the mining sector is not likely to result in a quick drop in shipments.

"The Chinese think the Philippines will continue exporting ore to China and only some small mines will be affected. They're not worried about the situation at the moment," said Peter Peng, analyst at CRU consultancy in Beijing.

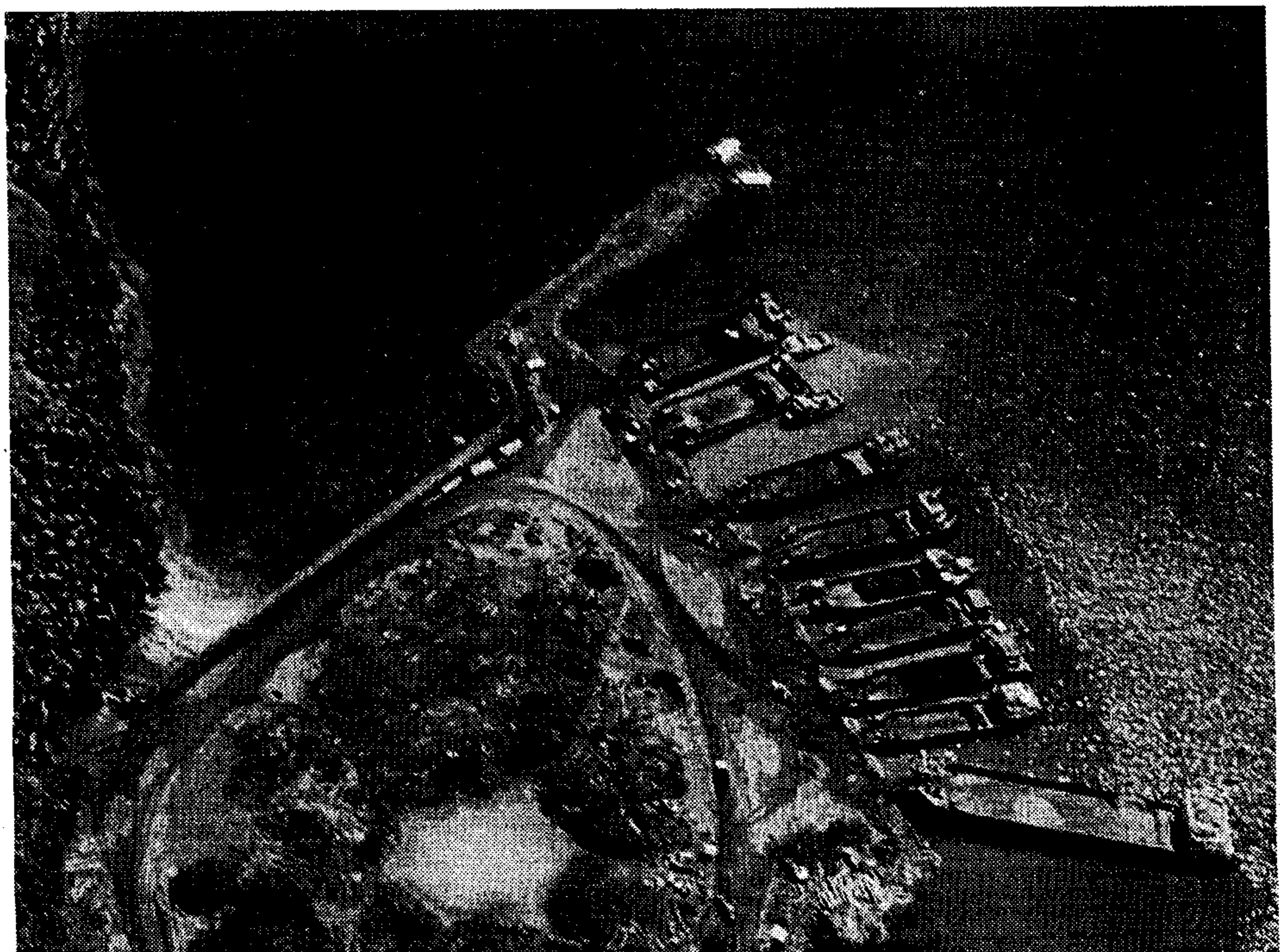
The biggest Philippine producer, Nickel Asia Corp., which has already complied with international mining standards, accounted for close to 40 percent of Philippine nickel ore production last year, according to analyst David Wilson at Citi in London.

Three other major miners also say they have approvals, while small scale miners only accounted for about 11 percent of ore produced last year, he added.

"We therefore suspect that the impact of environmental license suspension may be more limited than initially feared, and believe the recent rally will run out of steam," Wilson said in a note.

Of the 40 operating mines, 21 have obtained their ISO 14001 certification, Ronald Recidoro of the Chamber of Mines of the Philippines told Reuters.

Benchmark nickel prices CMN13



The country's biggest producer, Nickel Asia Corp., accounted for close to 40 percent of Philippine nickel ore production in 2015.

on the London Metal Exchange have rallied a fifth to eight-month highs since June 4 when incoming President Rodrigo Duterte warned mining companies to "shape up".

What remains unknown is how tough the mining minister, Regina Lopez, a committed environmentalist, will be in enforcing environmental and social responsibility rules. Days after she assumed office on June 30, a review of all mines was launched and two small mines were suspended. (Full Story)

Analyst Jim Lennon, a consultant for Macquarie, said politicians in the Philippines were responding to public anger at damaging practices in the small-scale mining sector.

"Small miners are stripping away the overgrowth and the forestry and mining down 5-10 meters but don't bother replacing the overburden and

replanting," Lennon said.

Philippine nickel ore exports to China were already down this year before the crackdown, due to low prices and as some mines ran out of ore.

"Exports are down 25 percent in the first half anyway, because of the price and reserve exhaustion, so if any of the mines were to be shut down, there's still plenty of capacity," Lennon said.

"So my feeling is that there will be more of an impact on new mines because I think there will be a much more extended environmental approval process."

The Philippine government has halted permits to develop new mines since 2012 while it works out ways to get more revenue from the sector, but such efforts in Congress have stalled.

- Reuters

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I am beginning to wonder what kind of experts Environment and Natural Resources Secretary Gina Lopez is listening to, if at all she is listening to them. Also, based on her recent official actions, I am uncertain as to what extent Ms. Lopez can temper her own biases — i.e. her advocacy against mining — when as a government official she should protect the interest of all stakeholders, and not just a few.

I take exception to two things that came out of the at the Department of Environment and Natural Resources (DENR) this week: Ms. Lopez's broadside against what she called pro-mining media, and then her DENR Memorandum Order No. 2016-01 dated July 8, 2016. The subject of the memorandum is the audit of all big operating mines nationwide as well as the moratorium on new mining projects.

On the first point about allegedly pro-mining media, I take exception to this because I also write about mining. And my aim, as a columnist, is to elaborate on certain points, and to present all sides so as to allow all stakeholders — including the public — to come to a more informed decision on issues. After all, any policy on mining — whether allowed or prohibited — ultimately impacts us all.

But, in replying to a reporter's query whether media will be allowed access to the ongoing audit of mining firms that she had ordered, Ms. Lopez was quoted as replying, "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."

Talk about the pot calling the kettle black, when in fact Ms. Lopez herself, by virtue of her anti-mining advocacy, is already too

IN THE SERVICE OF THE FILIPINO PEOPLE?

biased and prejudiced against an industry that exists primarily on the basis of economic need and law. In this line, if anyone must temper bias and prejudice, it is Ms. Lopez herself as a public official and policy maker, who accepted the responsibility of being DENR secretary to all, and not just to the pro-environment groups.

And who is "mining-connected" media, anyway? Who does she mean by this? More important, can the DENR secretary actually prevent or exclude some media from mining coverage as well as access to official documents — or audit reports — at DENR? Isn't this a form of censorship, a breach of the constitutional freedom of speech and press, and anathema to the Duterte administration's call for Freedom of Information?

This paper is owned by a business group that has mining interests, but does this mean that all journalists working here are pro-mining. But given the paper's ownership structure, does this mean its reporters

and editors and columnists will be denied access to mining audit reports at DENR, as per Ms. Lopez? If there will be mining site visits in the course of the audit, will this paper's reporters be denied access? Ms. Lopez thinks it is a "good idea"

to allow media access but only if she can select who can go?

With all due respect, Secretary Lopez, but why belittle media people in saying they will just "screw up reports," and that by excluding what you refer to as "mining-connected media," you can ensure "truthful and objective reporting" of the mining audit reports? Really? Perhaps as truthful and objective as the political reporting of your family's ABS-CBN network? Who are you to say who is biased and who is not?

as it fails to take into account the realities of audit as well as the effort actually required in undertaking a "comprehensive review." Worse, it doesn't seem to understand how the government works.

Firstly, if you want a "comprehensive review" of all mines in the country, big and small, can you actually finish the audit and all the reports "within one month from receipt" of the memorandum order? We are talking of hundreds of mine sites nationwide. Her order was dated July 8. At best, what can

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In the service of the Filipino People

This paper is owned by a business group that has mining interests, but does this mean that all journalists working here are pro-mining. But given the paper's ownership structure, does this mean its reporters and editors and columnists will be denied access to mining audit reports at DENR, as per Ms. Lopez?

Of all people, Ms. Lopez must understand how hard it is to be a working stiff in media. Frankly, her broadside would have been easier to take in stride if she did not come from a broadcasting and publishing family herself, or if her family's media business has never been accused of prejudice and bias ever. Or maybe, just maybe, she wants exclusive or pooled reporting at DENR, with preference for her own family's ABS-CBN?

How will her process of media selection and exclusion contribute to a more informed debate on the issues of mining? Is her process of media selection and exclusion in the service of the Filipino people or in the service of her personal agenda, whatever that may be? As a matter of fairness, by excluding allegedly pro-mining media, she should do the same to seemingly anti-mining media, right? What then will be the future of media coverage and reporting at DENR under her watch?

On the second point regarding Ms. Lopez's DENRMO No. 2016-01, I wonder if that order was mainly her initiative or the result of exhaustive discussion and consultation with people at DENR. I dare say that her order is "unrealistic"

be done by August 8 is a "document review" and not an actual audit with mine visits. Is this what she truly intends?

Also, the order said the audit will be done in line with the Philippine Mining Act 2005, President Aquino's Executive Order No. 79 on reforming the mining industry, and DENR Administrative Order No. 2015-07 requiring ISO 14001 certification for all mining contractors. In short, the audit practically covers only "big" or large-scale mining. What about small-scale mining covered by RA 7076 or the Small Scale Mining Act? Does this mean that small-scale miners get a free pass and will not be checked for violations? They will not be audited using the same if not similar standards to be used on large-scale miners?

Third, her order simply states "to determine the adequacy and efficiency of the environmental protection measures of each mining operation" and to "determine the appropriate penalties" for violations. What is this, then? Just an assessment with respect to environmental compliance? But, using what gauge and standards? The same ones set by law and already in place and already

complied with by miners so they can keep their licenses?

Will the audit cover only environmental compliance? If so, then call it what it is. Not a "comprehensive" review but a simple audit to check if existing "big" mines comply with environmental laws and rules, to the exclusion of small mines.

And if that is what it is, then why do this again now when it is already being done periodically? Is there anything new in the audit by the Lopez DENR? Or, is it just a revalidation of ECCs already issued to big miners? Again, why are the small scale or artisanal miners excluded? Or is this practically just lip service to satisfy Ms. Lopez's allies in her anti-mining advocacies?

How comprehensive can the audit be if DENR people were given by Ms. Lopez only a month to do it, inclusive of set-up time, as well as the hiring of third-party experts to form part of the "Mine Audit Team" in every region? And if the audit is limited to environmental compliance and big mines, then isn't it just a selective and limited assessment of the industry, exclusive of its social and economic impact?

Fourth, how is DENR to hire these "third-party experts?" The experts will perhaps be brought in as temporary consultants. But how will the selection process be for these experts? More important, will their selection follow procedures for the hiring of consultants as required by government procurement rules? Will there be competitive bidding for their services? How can service procurement and the actual audit itself plus the preparation of reports all be done in 30 days?

Fifth, will these "experts" have the necessary credentials for the task or mostly allies of Ms. Lopez in the anti-mining circles? Will they be true environmentalists, with technical expertise to conduct audit, or just pro-environment or anti-mining propagandists? Can Ms. Lopez make public the qualifications for these experts, the names of those to be hired, and their respective credentials? Will these experts be limited to environmentalists or will include mining engineers and economists as well?

And last but not least, if the audit is only for a month, or until August 8, to cover mainly environmental compliance, why even reiterate and continue the Aquino 2011 Executive Order for a moratorium on the approval of new mining projects? Will the moratorium be lifted after the audit? Is the moratorium imposed for the purpose of the audit only? Or, is it the Cabinet's "ban" on mining that circumvents present mining laws? Is it temporary or will "remain in force and in effect until formally terminated" as what the order states?

At this point, Ms. Lopez seems to be barking up the wrong tree. First-month jitters, perhaps? ■

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Natural resources management and federalism

THE 1987 Philippine Constitution declares the Filipinos to be sovereign, and this is very interesting because to be "sovereign" means to be in "total control." What it means in the arena of natural resources management is that the benefits derived from such are owned and managed exclusively by the national government for and in behalf of all Filipinos.

In our failed unitary centralized system (the opposite of federalism), the national government sitting in Malacañang acts as the owner of these natural resources, dispensing and managing its benefits and costs through the Department of Environment and Natural Resources (finally under the hands of a genuine environmentalist in the person of Sec. Gina Lopez).

As is typical in a highly centralized government, the line agencies (different departments) are the target of "regulatory capture" by the big boys in politics and business, particularly the selfish oligarchs and the corrupt. Fueled by irresponsible greed, some would like nothing more than to avoid regulations too expensive to comply with for fear of profit decline.



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Look around our shattered archipelagic, physical environment, and see impacts of the unitary madness that has reigned over the past century: less than 5 percent of natural forest cover (used to be over 70 percent at the turn of the 20th century); most river systems in serious decline; mid-level areas ravaged by illegal land grabbers and claimants, coastal plains inundated with unfiltered, spilled-over polluted water from agriculture and industry; mangroves indiscriminately turned into fishponds; corals poisoned with cyanide and blasted with dynamite. With a fast growing population and a faster clip of environmental degradation, the very sustainability of the country is threatened. Without a well functioning physical environment, suffering will be the order of the day for the poor and the defenseless.

Federalism and natural resources management

Change has come and the federalist winds are blowing strong. This augurs well for an approach to natural resources management that has been proven to work better than state or corporate management of natural resources (as population expands, the margin for error in natural resource management is slimmer), a perspective referred to by the economist Sixto Roxas as "Area Management" over the past 50 years. Area Management was largely ignored by the previous administrations that had preferred "Sectoral Management" of the different sectors, like natural resources, which is a proven disaster as pointed out above, and is prone to "regulatory capture."

Essentially, with Area Management, what happens in the uplands of an archipelago will have direct impact on the river system, the midlevel lands and inland waters, the near-shore and coastal areas, since these are all tightly linked, having evolved together in a mutually reinforcing system including the vast biodiversity the Philippines once had. Thus, the "ecosystem-integrated" area should be managed as one area.

In a federalist country, the natural resources are owned and managed by the regional government for and in behalf of the citizen within the region, with then sharing with the national government, which also provides the national policy and standards for regional approval of natural resource-related projects. In other words, a mining proponent in an upland area of a province within a region does not anymore go to the DENR in Quezon City to make its case, but rather to the regional government's environmental office. Creating this office in a federal system is easy and cost-free: retool the existing DENR regional offices from extensions of Malacañang into extensions of the Regional Development Council (RDC).

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Natural Resources Management and federalism

Why is this better?

Why is a federal structure better in this case?

Obviously, the area of interest (proposed mine site) of the proponent miner is much more familiar to the local regional and other officers. Second, the RDC includes all the governors and mayors in the component and constituent LGUs, so that the "archipelagic" repercussions, if any, can be addressed by the local officials who are not part of the direct mine site, but will experience impacts from it that can also be weighed in. Third, the regions, by and large, have no dynasties as these are confined to large cities and provinces, but hardly at the region. Therefore, there is yet no possible power play and manipulation by a dynastic political bully in the region as the region is 10 times larger than any city or province in most cases. It is highly unlikely that a region can be bullied by one parochial politician. Fourth, when bad stuff happens, the folks who allowed it are not in faraway Malacañang, making them almost unaccountable for the ill effects. Poor affected local folks don't have to march thousands of kilometers just for their suffered injustices to be heard. Fifth, between the actual proposed site and the regional center, the distance is much closer and, therefore, man-

agement intervention is much quicker. Whether this is an oil spill, a mangrove contamination, etc., the response will always be much faster if decision-making is closer to the ground. Sixth, budgets will now be prepared for natural resource management based on ground realities rather than on centralized "cookie cutter" solutions, which are averages that don't work nearly anywhere.

The DENR is now studying putting a value on all ecosystem assets and services based on science and sound economics, and delegating authority to the regional DENR offices as well as mobilizing a civil society arm to take over the monitoring of all ECC compliances, so that even without a federal system, the benefits of that system can already be felt soonest at the bottom. By valuing ecosystems, communities will know what exactly the cost to them is of devoting some of their ecosystem as hosts of industrial or other "projects."

This model of genuine decentralization of ownership and management of natural resources, with revenue sharing and standards sharing mechanisms with the national government hews closest to the 1987 Constitution declaring the Filipinos or the people to be sovereign rather than the institutional "Philippine government."

In a federal country, the federal government sets the national vision and standards, while the regions take this and creatively and meaningfully assist the component LGUs come up with development plans aligned with that. Each region can compose its own "song," with the federal government just saying what "genre" to cast it in.

Change has, indeed, come. And more radical and good change in the field of natural resource management is on the way with federalism!

The author is a member of the Board of Advisors of the Centrist Democracy Political Institute (CDPI). He is also co-convenor of the Subsidiarity Movement International, as well as the Federalist Forum of the Philippines. He advocates the bottom-up development model and proper decentralization, and the strengthening of regional governance. He served for 12 years in the Regional Development Council, of Central Luzon, as chair of its economic committee. He was a consultant at Philippine Alternative Fuels Corp. (PAFC) and was on the Board of Trustees of the Haribon Foundation.

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₱4.5-B power project faces cancellation of DENR permit

By TARA YAP

ILOILO CITY—The Department of Environment and Natural Resources (DENR-6) may cancel a permit it granted to a ₱4.5-billion renewable energy project in Aklan province.

DENR-6 Regional Director Jim Sampulna said that the Forest Land Use Agreement issued to Oriental Energy and Power Generation Project Corp. can be revoked.

In April, 2016, DENR-Aklan found that trees were illegally cut in a forest protected area. The tree cutting was part of pre-development works of Oriental Energy's 18-megawatt (18-MW) hydropower plant in Madalag town.

Oriental Energy's subcontractor chopped trees within a 2.3-hectare site of DENR's National Greening Program (NGP) to pave way for its road network.

DENR-6 already ordered a stop to the work, but Oriental Energy's subcontractor continued to defy the order.

Atty. Jonathan Bulos, regional director of DENR-6's Environmental Management Bureau (EMB-6), added that Oriental Energy also violated its Environmental Compliance Certificate (ECC).

Meanwhile, DENR-6 is recommending to DENR Central Office in Metro Manila to impose a ₱4.6-million penalty fee against Oriental Energy as well as the mandatory replanting to replace the damaged trees.

THE EXPONENT OF PHILIPPINE PROGRESS
SINCE 1900
MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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Apela kay Duterte: Paglilinis sa mga ilog, gawing prioridad

IBAAN, Batangas - Isang malawakang petisyon sa pamamagitan ng social media ang isinusulong at planong idulog kay Pangulong Duterte ng isang grupo sa Ibaan, Batangas upang linisin at buhayin ang mga ilog na napabayaang at namamatay.

Ang petisyon na inilunsad ng Klub Iba noong Hulyo 7 ay nakakalap na ng mahigit 200 pirma sa kasalukuyan at patuloy pa ring nangangalap ng mga susuporta rito.

Ayon kay Manolito Sulit, founder ng Klub Iba, matagal na silang nagsasagawa ng boluntaryong paglilinis sa mga ilog partikular, sa Ibaan na ginagawang

daluyan ng dumi mula sa kaliwa't kanang babuyan ng mga negosyante at mga residente.

Aniya, kadalasang nakatuon ang gobyerno at mga environmentalist group sa paglilinis sa coastal areas, mining at mga planta ngunit walang nagmamalasakit sa seryosong paglilinis at pagmamantini sa mga ilog.

Nais nilang isulong ang petisyon sa Department of Environment and Natural Resources (DENR) at Department of Agrarian Reform (DAR) hanggang sa Malacañang para istriktong maipatupad ang RA 9275 (Clean Water Act) na hindi,

anila, nabibigyang-pansin ang mga ilog.

"Dahil RA naman 'yan, malamang, ipinatutupad sa ibang lugar. Pero hindi sa lahat. Gusto nating maging prioridad ito ng pamahalaan kaugnay ng layunin nitong food sufficiency at environmental protection. "Pag marumi ang tubig, sira rin ang ating mga sakahan."

Iginiit din ni Sulit na maipatupad ang regulasyon sa pagtatayo ng mga babuyan at manukan malapit sa mga ilog, at matigil ang pagtatapon ng domestic wastes nang direkta sa ilog.

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May oil spill sa Matnog

Dalawang barangay na malapit sa tabing-dagat ang apektado ang kabuhayan matapos magkaroon ng oil spill sa karagatan ng Sorsogon sakop ng bayan ng Matnog.

Bukod sa apektadong kabuhayan dahil karamihan sa mga residente ay pangingisda ang ikinabubuhay ay marami na umano ang nagkakasakit na mga bata dahil sa partikular ang paghirap sa paghinga dahil sa masangsang na amoy ng maitim na langis na kumalat sa karagatan sakop ng Barangay Tablac at Camatchili ng nabatid na bayan.

Ayon sa Philippine Coast Guard (PCG) Bicol, nitong Linggo pa nagsimula ang oil spill nito pang Linggo at hindi pa matukoy kung saang RORO vessels nagmula ang pagkalat ng langis sa karagatan.

Matatandaang ang Matnog ay isang sea port kung saan napakaraming mga RORO vessels ang papunta at pabalik dito na patungo ng Visayas at Mindanao.

Ayon naman kay Jerry Funtiliar, kapitan ng Barangay Tablac, napakabaho umano ng amoy na kumalat na langis dahilan upang magsimulang magkasakit ang mga residente sa kanilang lugar lalo na ang mga bata dahil sa hirap silang huminga. (EB)

El Nido's biodiverse surroundings catch global tourists' attention

El Nido in Palawan enjoys worldwide attention for its natural attractions, including 855 species of marine fish, 400 species of coral, and five species of marine turtles in Bacuit Bay. With the rise of ecotourism and travelers preferring places that have remained generally untouched by development, El Nido is experiencing heightened interest from high-end global tourists.

"El Nido Resorts is aware that its long-term viability is tied with the conservation of its surrounding," said marketing director Joey Bernardino. It was named in 2015 by the Pacific Asia Travel Association, the leading travel organization in the region, as a business that "demonstrates excellence in social, environmental and economic sustainability in tourism."

Bacuit Bay hosts three of the company's four resorts, namely: Miniloc, Lagen, and Pangulasian. The fourth resort, Apulit, has also been lauded for its biodiversity. It is in neighboring Taytay Bay.

Visitors get to appreciate the unique setting of the resorts as all its frontliners undergo extensive nature interpretation courses. "Most of our frontliners, who are native Palaweños, are trained to make our guests fall in love with this piece of Paradise," he says.

As news about El Nido continues to spread over digital and other media courtesy of reviews from highly satisfied guests, the best time for travelers based in the Philippines to visit is now,



A little piece of underwater paradise in El Nido, Palawan. (mb.com.ph)

according to Bernardino.

The photogenic Facebook posts of El Nido Resorts visitors and other guests to the area, which consists of a good mix of global and local guests, have also been creating significant global awareness for the destination among their travel circles, according to Marc Cerqueda, director for operations.

Visitor arrivals to El Nido Resorts have been growing exponentially in the past year and are expected to grow further. Nevertheless, great deals, which travelers from the Philippines are in the best position to maximize, continue to be offered throughout the year by the resort in its website and thru its Facebook page.

Bernardino recalls that Bacuit Bay

first caught the attention of international travelers in the 1980s when Japanese scuba enthusiasts decided to set up a dive camp in the area. Since then, the firm which today is wholly-Filipino owned has largely influenced the growth of tourism in El Nido and neighboring Taytay municipality.

Bernardino adds that El Nido Resorts practices what it preaches about conservation even in its menus. In all the properties, endangered species like lapu-lapu and lobster are not served.

To limit its food miles, a large portion of the ingredients needed for the resort kitchens, including pork, are sourced from its farm in El Nido town.

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No rush is Duterte's move

BY VICTOR REYES
AND ASHZEL HACHERO

PHILIPPINE officials moved cautiously after getting a favorable ruling on its territorial dispute against China at the UN Permanent Court of Arbitration, as China dangled the possibility of declaring an air defense zone over its claimed territories in the South China Sea.

President Duterte called a Cabinet meeting Tuesday evening, hours after the court announced its decision, but Duterte's specific orders have not been revealed.

Presidential spokesman Ernesto Abella urged everyone to be patient, adding that government would come up with the "right

response at the right time."

Defense Secretary Delfin Lorenzana said government is crafting its courses of actions but Duterte ordered agency heads not to take hasty decisions and actions that could negate the favorable court decision.

"The President said let's not be rush in deciding what to do, study this and wait for other developments... We (government) still have to study our course of action on the issue," Lorenzana said.

He said government "does not want to do things that may be construed as provocation by the other party."

"The guidance to us (from the President) is that let us be very subdued in our reaction here. Let us study the things that we want to do and in the proper time, the

President said, we will come out with our course of action. So that's what we are doing now," he said.

He is hopeful, though, that China will abide by the court decision for the good of the region.

Lorenzana said Philippines will be consulting other claimants in the South China Sea - Malaysia, Vietnam, Brunei and Taiwan. He said other Asean allies will also be consulted.

Lorenzana said the military will resupply troops stationed at Second Thomas or Ayungin Shoal now that the arbitral court has handed down its ruling.

The resupply, which was scheduled last

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week, was postponed in anticipation of the decision.

Lorenzana also disclosed that US Defense Secretary Ashton Carter told him during a phone conversation last Sunday that China and the US have assured that they will exercise self-restraint in the light of the then-impending ruling.

GAME OF DIPLOMATS

Former Solicitor General Florin Hilbay, who argued the country's case before the arbitral tribunal, said the country's diplomats should now hammer out what's best for the country.

"This is now the game of diplomats. What he (President Duterte) has now are the tools that he can use," Hilbay said.

Supreme Court Senior Associate Justice Antonio Carpio said government should initiate talks with Beijing to allow Filipino fishermen to fish in Scarborough Shoal off the coast of Zambales, now that the UN court has ruled that the shoal is a traditional fishing ground of both Filipino and Chinese fishermen.

"So, both can fish there. We have to talk to China to establish protocols so we can fish in the area and definitely we have a right to go there," Carpio said in an interview over GMA News.

He said if Beijing refuses to budge, the country can and should use the tribunal's ruling as leverage.

"There are other avenues, like China has applied under the UNCLOS for permit to explore the seabed issued by the International Seabed Authority. The International Seabed Authority can suspend that license of China. We can also go back to the tribunal if China refuses. There are so many

ways to put pressure on China if it refuses. We are not totally helpless," he said.

Carpio said government should also support and improve the capability of the Philippine Coast Guard as well as assist Filipino fishermen.

Former Philippine Representative to the United Nations Lauro Baja said the international community is keenly waiting for the next move of the Duterte administration.

"We can recalibrate our approach and I hope this will lead to a more strategic management of the issues," he added.

Former Foreign Affairs chief Albert Del Rosario said China has to respect the court ruling to gain the respect of the international community.

He said the Philippines can also rely on its allies such as the United States to ensure that the ruling will be respected.

RESUME FISHING

MAYOR Arsenia Lim of Masinloc town in Zambales said her fishermen-constituents are planning to resume fishing at the Scarborough Shoal.

Lim told a radio interview that the fishermen want to test if China will honor the ruling.

China gained control of the shoal in 2012 following a standoff with Philippine vessels. Since then, Chinese ships have been driving away Filipino fishermen from the rich fishing ground - about 124 nautical miles from Iba, Zambales.

In its decision, the UN court said China has "unlawfully" prevented Filipino fishermen from pursuing their livelihood by interfering with traditional fishing activities at the shoal. It said fishermen from other countries are also free to fish at the shoal.

Lim said she will seek the help of the Coast Guard in securing the fishermen.

Lorenzana said the Coast Guard, not the

Navy, should be one securing Filipino fishermen.

If China continues to violate Philippine sovereignty, Sen. Panfilo Lacson said government should consider seeking the intervention of the UN General Assembly.

Lacson said the ruling enhances the Philippines' bargaining position with China.

China, with all its military might, will not engage a UN peacekeeping force in a war, Lacson said.

China's Vice Foreign Minister Liu Zhenmin said on Wednesday that China has the right to set up an air defense zone in the South China Sea, but this will depend on the level of threats faced.

Liu said China hopes to return to bilateral talks with Manila over the South China Sea.

Beijing called the Philippines' claims of sovereignty in the South China Sea "baseless" and an "act of bad faith."

In a government white paper published on Wednesday, China also said its fishing boats had been harassed and attacked by the Philippines around the Spratly Islands.

"We hope that other countries don't use this opportunity to threaten China, and hope that other countries can work hard with China, meet us halfway, and maintain the South China Sea's peace and stability, and not turn the South China Sea in a source of war," he said.

In Washington D.C., State Department spokesperson John Kirby said the decision is "an important contribution to the shared goal of a peaceful resolution to disputes in the South China Sea."

"In the aftermath of this important decision, we urge all claimants to avoid provocative statements or actions. This decision can and should serve as a new opportunity to renew efforts to address maritime disputes peacefully," he added. - *With JP Lopez, Jennie Lustre and Reuters*

US to China: Don't provoke

PH mulls over 'right response at right time'

By Leila B. Salaverria

THE ADMINISTRATION is preparing, in consultation with experts, the "right response at the right time" to the Philippines' landmark victory in its arbitration case against China, presidential spokesperson Ernesto Abella said yesterday.

The Philippines welcomes the arbitration court's decision, Abella said, but will proceed with "sobriety and restraint."

He said whatever would be done would be for the "common good," especially with regard to Philippine fishermen, who have been adversely affected by China's intrusion into their traditional fishing grounds.

"Now, whatever the results are, the legislative part has been done, and so we are now waiting for the right responses coming from the government," Abella told reporters.

"I'm sure that everything will be for the common good, especially for those who are directly involved, including the fishermen, but let us wait for the right

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response at the right time," he said. Asked to elaborate, he replied, "When it unfolds, that will be the right time."

Among the experts consulted on the Philippines' response to the decision were members of the Supreme Court, he said.

As for President Duterte's initial reaction to the ruling, Abella said, "It was welcome, but also very responsible. It was a very responsible response."

Mr. Duterte called a Cabinet meeting on Tuesday night, after the ruling was handed down, to discuss how the Philippines should respond.

Abella said the mood was "upbeat, but also very mature, very responsible."

Among those present were Supreme Court Justices Antonio Carpio and Francisco Jardeleza, and former Solicitor General Florin Hilbay, who were involved in the Philippines' arbitration case.

Solicitor General Jose Calida briefed the President on the legal points of the Permanent Court of Arbitration's 501-page decision. It was a comprehensive discussion of the facts of the case, Calida said.

"We dissected the 15 submissions of the Philippine government and I explained the legal ramifications of each ruling," Calida said in a phone interview.

He said it would be up to the President to decide on the next moves.

Earlier, Mr. Duterte said he wanted to talk with China in case the Permanent Court of Arbitration ruled in the Philippines' favor in its case challenging Beijing's claim to almost the whole of the South China Sea.

"We are not prepared to go to war. War is a dirty word now, but we will proceed accordingly after we shall have the copy of the arbitral judgment," he said earlier this month.

Asean awaited

In an ambush interview yesterday, Foreign Secretary Perfecto Yasay Jr. said while the Philippines had the full support of the international community, "we hope Asean (Association of Southeast Asian Nations) will come up with a unified statement." The regional grouping has not come up with a common stand on China's aggressive moves in the region.

But even without Asean's unified stand, Yasay said, "we will see how we can peacefully implement the decision." The secretary is attending the 11th Asia-Europe summit in Mongolia this weekend. China earlier warned delegates to the summit not to discuss sea disputes.

At a media forum yesterday,

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PH mulls over 'right response at right time'

Hilbay said the case had now moved "toward the game of diplomats."

"There will be a lot of pressure on China to calculate the risk and benefits of not following the award. China is a signatory to the United Nations Convention on the Law of the Sea (Unclos) and it is legally bound to comply with the arbitration ruling or face reputational loss," Hilbay said.

No jet ski to shoal

Defense Secretary Delfin Lorenzana yesterday played down Mr. Duterte's earlier campaign remark that he would jet ski to the disputed shoals and plant the Philippine flag to assert the country's sovereignty.

"The situation on the ground is the same as before the issuance of the arbitration court. I think the status quo has been maintained by everybody," Lorenzana said in his first interview with defense reporters.

"The Chinese have also said they will restrain actions there. They have asked for us not to be brash in our actions after the ruling and we have to abide by that request not to take measures that would ruffle feathers there or lead to some misunderstanding," he said.

Lorenzana ruled out consultations with the United States, saying the Philippines would be "guided by what is good for our country."

He said US Defense Secretary Ashton Carter called him over phone on Sunday afternoon, assuring that "our alliance, our defense pact is iron-clad" and that the United States "support you here in this issue."

UN peacekeepers

Also yesterday, Sen. Panfilo Lacson told a news forum that the Philippines could ask the United Nations to deploy a peacekeeping force in the South China Sea should China ignore the arbitration ruling.

"If there is a UN contingent composed of different countries, I don't think China, for all its bravado ... will go to war against the UN peacekeeping force. Otherwise, they will be fighting with the community of nations," Lacson said.

Sen. Francis Pangilinan said the ruling was an opportunity for both countries to go back to the negotiating table.

"We should ensure two things: that the corals and the maritime ecology in the South China Sea are not destroyed, and that Filipino fishermen are able to exercise their livelihood sustainably and to fish in their traditional fishing grounds without fear," he said.

With reports from Christine O. Avendaño, Estrella Torres and Jaymee T. Gamil

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Gov't move awaited after Hague victory

By Maria Eloisa I. Calderon

Editor-at-Large

AS President Rodrigo R. Duterte and his Cabinet mull over the Philippines' next move after a victory at The Hague, Filipino fishermen and businessmen wonder how and when they can return to fishing and searching for gas at the resource-rich South China Sea without being sprayed with

water cannons or rammed by China's ships.

The Permanent Court of Arbitration at The Hague ruled on Tuesday that China had gone out of bounds when it drove fishing and survey vessels away from the waters of the South China Sea, having found that Mischief Reef, Second Thomas Shoal and the Reed Bank form part of the Philippines' exclusive economic zone and continental shelf.

The international tribunal has no power to enforce its binding decision, but

foreign policy experts say the Duterte government has the leverage to try to make China leave the flashpoint areas.

Either that, they say, or explore other options: start bilateral talks with China to agree on who owns what; enter into concessions, including joint explorations, or; seek Washington's help.

"This ruling should enable Philippine fishing boats to catch there legally as we did in the past," Francisco Tiu Laurel, Jr., chief executive officer at Navotas-based Frabelle Fishing Corp., told *Business-*

World, adding that the company used to fish in the disputed areas.

"Only problem is: will China stop harassing our fishing boats? If not, then we still cannot fully benefit from this ruling."

The April and May 2012 standoff at the Scarborough Shoal — when the Philippine Navy tried to arrest Chinese poachers after finding giant clams, corals and live sharks on their vessels — is a bitter reminder of the fresh tension that could erupt.

Chinese ships' restricting access there was deemed as "unlawful" too by the

international tribunal.

But telling China to leave its artificial islands like Mischief Reef — despite their presence now declared illegal — could ignite skirmishes anew.

"[T]he award [to the Philippines] means that China can't justify this illegal artificial island," Anthony Bergin, deputy director at Canberra-based think tank ASPI, said in a paper released yesterday.

"I wouldn't, however, hold my breath waiting to see China's reaction if Manila

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asks for its withdrawal.”

Asked if the Philippine Navy is willing to escort fishermen in Scarborough Shoal, Defense Secretary Delfin N. Lorenzana said the President has yet to issue such a directive.

“The President doesn’t want to be rash in deciding what to do. Let’s study this, wait for other developments and consult with our allies in the ASEAN (Association of Southeast Asian Nations),” Mr. Lorenzana told a briefing.

“We have many nations there on our side: ASEAN nations that supported us in our pleadings.”

But a united stance from ASEAN over the South China Sea seems distant, as past summits of the group had bared deep divisions on this issue that had prevented it from issuing joint statements.

That’s despite statements from Vietnam, Singapore and Thailand welcoming the landmark decision, which is crucial in that it declared that China’s so-called “nine-dash line” has no legal basis.

Experts earlier said that could embolden other claimants like Vietnam to seek arbitration in its row with China over the Paracels.

Beijing “worked hard, and largely successfully, to break ASEAN’s always faltering unity on the South China Sea,” Peter Jennings, executive director also from ASPI, said.

Adding to division in the area is Taiwan — otherwise a close economic partner of the Philippines which does not officially recognize it as a sovereign state — which on Wednesday echoed China’s position that the Hague-based tribunal’s ruling does not hold water.

PLAN ‘B’, ‘C’...

The Philippines can find a strong longtime ally in Washington, with which it has a mutual defense treaty.

“As is so often the case, Washington’s policy approach will critically define what happens next... A phone call from the White House won’t be far away,” Mr. Jennings said.

China had in past years interfered with petroleum exploration at the Reed Bank, which Manila calls Recto Bank. London-listed Forum Energy Plc, where Philex Petroleum Corp. has the largest stake, holds an oil and gas exploration permit there covering the Sampaguita natural gas prospect believed to have reserves of as much as 20 trillion cubic feet.

But the Philippine government had declared a force majeure, putting the contract at a standstill.

On Tuesday, shortly before the Hague court handed down the ruling, Philex Petroleum Chairman Manuel V. Pangilinan told reporters: “We have to wait for the government.

“We will make a few suggestions, but we really have to study the decision.”

Kabalikat ng Mamamayan (Kabayan) party-list Rep. Harry L. Roque, Jr., a lawyer well-versed in the United Nations Convention on the Law of the Sea, said joint resource exploration with China covering the waters at the South China Sea could be an option, so long it does not violate the Philippine Constitution that sets foreign ownership limits. Mr. Roque was not specifically referring to Recto Bank but to resources in the South China Sea.

“If the Chinese are willing to engage in joint exploration, it has to be 60-40,” Mr. Roque said in a phone interview.

The Philippines could also choose to sit down with China and start drawing boundaries — which reefs and shoals go to

whom — but with the Hague ruling as basis, he said.

“We can negotiate on low tide elevations outside our EEZ [exclusive economic zone] and can agree that rocks outside our EEZ belong to whoever possess them.”

Still, Richard Heydarian, author of *Asia’s New Battlefield: US, China and the Struggle for Western Pacific*, said the Philippines now has the upper hand.

“The favorable outcome gave the Duterte administration great leverage to extract Chinese concessions — non-imposition of an ADIZ (Air Defense Identification Zone), mutual disengagement from Scarborough Shoal, non-harassment of Filipino fishermen and troops in contested waters,” Mr. Heydarian said in a mobile phone reply.

But how much longer fishermen have to wait and exploration contracts will remain virtually useless is uncertain.

“The legislative (sic) part has been done and so we’re awaiting the right responses coming from the government. I’m sure that everything will be for the common good, especially for those who are directly involved including the fishermen,” Presidential Spokesperson Ernesto C. Abella told a briefing.

“But let us wait for the right response at the right time.” — **with reports from J.C. Lim, J. U. Vizcarra, J. S. Ruizol and V. V. Saulon**

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'Charting progress to 2020'



Pangilinan

Final point – mining

Finally, the gorilla in the basketball court, mining. I just have two points:

First, even if we operate on the premise that all mining is bad, our need for mining products will not stop. We will import the metals and minerals we refuse to mine ourselves. We would then be paying the Indonesians, Malaysians, Australians – everybody else – for their riches. We'd be paying not only their profit, but also the cost of protecting their environment. This makes no sense at all – paying somebody else to do the job we ourselves can, and should, do.

Second, providence has endowed us with an abundance of natural resources. We can choose to develop them to benefit our people, or let them just lie fallow.

I say, we all have a sacred responsibility to our people to improve their welfare. The poetry of blue skies and tangerine sunsets should give way to the stark realities of poverty. And if we do develop these resources, we will have lived by these words of Matthew – "well done, good and trustworthy servant. I will set you over much, and now enter into the joy of your master."

In closing, let me tell you the story of Marlon Boro of Cagayan de Oro.

Marlon's parents separated when he was only two months old. He was adopted by his childless uncle and aunt. His foster father is a

The following is the transcript of the keynote speech delivered by MVP Group of Companies chairman Manny V. Pangilinan at the BusinessWorld Economic Forum held at the Shangri-La at The Fort in Taguig City on July 12, 2016.

carpenter. After high school, Marlon was forced to work in order to feed his family. At 15 years old, he received his first pay – P160.00 a day – as a laborer carrying heavy loads of cement, sand and gravel. In 2010, he took and passed the PMA entrance exam but failed the medicals twice due to scoliosis.

In 2012, Marlon was accepted as a janitor in Xavier University – Ateneo de Cagayan, collecting garbage in the school complex. But he took the entrance exam, and passed! It was tough, attending classes from 7:30 in the morning until noon, and doing janitorial work from 1:00 to 10:00 p.m. With the help of a scholarship from our Gabay Guro foundation, he managed to graduate with a degree in education.

Marlon will soon be a teacher at the lumad community in Lantapan, Bukidnon.

Marlon's inspiring narrative brings to mind what Prime Minister Nehru said in August 1947, on the eve of Indian independence, and soon after the assassination of his mentor Mahatma Gandhi: "The achievement we celebrate today is but a step, an opening of opportunity to the greater triumphs and achievements that await us. The service of India means the service of the millions who suffer. It means ending poverty and ignorance and disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us, but as long as there are tears and suffering, our work will not be over."

While our work in this country is indeed far from over, may everyone in this hall resolve to wipe every tear in every eye of every Filipino.

Thank you for listening. A good day to all.