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DENR
IN THE NEWS

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DENR execs in La Union accused of conniving with land-grabbers

BY ORLY GUIRAO | Correspondent

BAUANG, La Union—An influential group of real-estate developers is lording it over prime beachfront lots in this town, once called the “country’s beach capital,” grabbing or encroaching on titled properties in alleged collusion with key officials of the Department of Environment and Natural Resources (DENR) regional office in San Fernando City, La Union.

The modus operandi of the group—believed to be well-connected with higher authorities, including the Office of the Solicitor General (OSG), the judiciary and military—was revealed in a complaint filed against three ranking officials of the DENR before the Office of the Ombudsman by one of the landowners whose lot was deliberately “invaded” by the group.

Named respondents in the Ombudsman case for violation of the Anti-graft and Corrupt Practices Act were Graciano Boquiren, special investigator assigned at the DENR’s office in Pangasinan; Santiago S. Santiago, Jr. and Arnel Manalac, both geodetic engineers of the agency’s regional office.

The complainant, Ann Paredes, claimed Boquiren, Santiago and

Manalac conspired in faking a survey that declared her 761-square-meter property as “underwater and salvage zone.”

The “faked” DENR survey, Paredes said, paved the way for the reversion/cancellation of her lot title by the Regional Trial Court (RTC) of Bauang, which declared the “underwater” property as “part of the public domain.”

Paredes contested the RTC decision and the case is now pending in the Court of Appeals.

But even with her protest still being heard by the appellate court, an applicant for foreshore lease agreement with the DENR, a certain Alberto Hidalgo, “invaded” Paredes’s property and using goons led by a certain Ricardo Aromin, immediately put up huts and other semi-permanent struc-

tures to position himself on the beachfront lot.

With the seeming tolerance of the DENR, Hidalgo’s group hastily developed the area into a “high-end” beach-housing estate.

Alongside Paredes’s lot, two other prime beachfront properties with an aggregate area of 1,726 sqm owned by Immaculada Corazon Lim and Cherry Lyn Dy Castillo, and which were similarly issued reversion or cancellation of titles, were encroached by Hidalgo’s group.

Two mansions, worth P20 million and P30 million and owned by a Norwegian citizen and a Swiss national, respectively, now stand on the otherwise “underwater” properties.

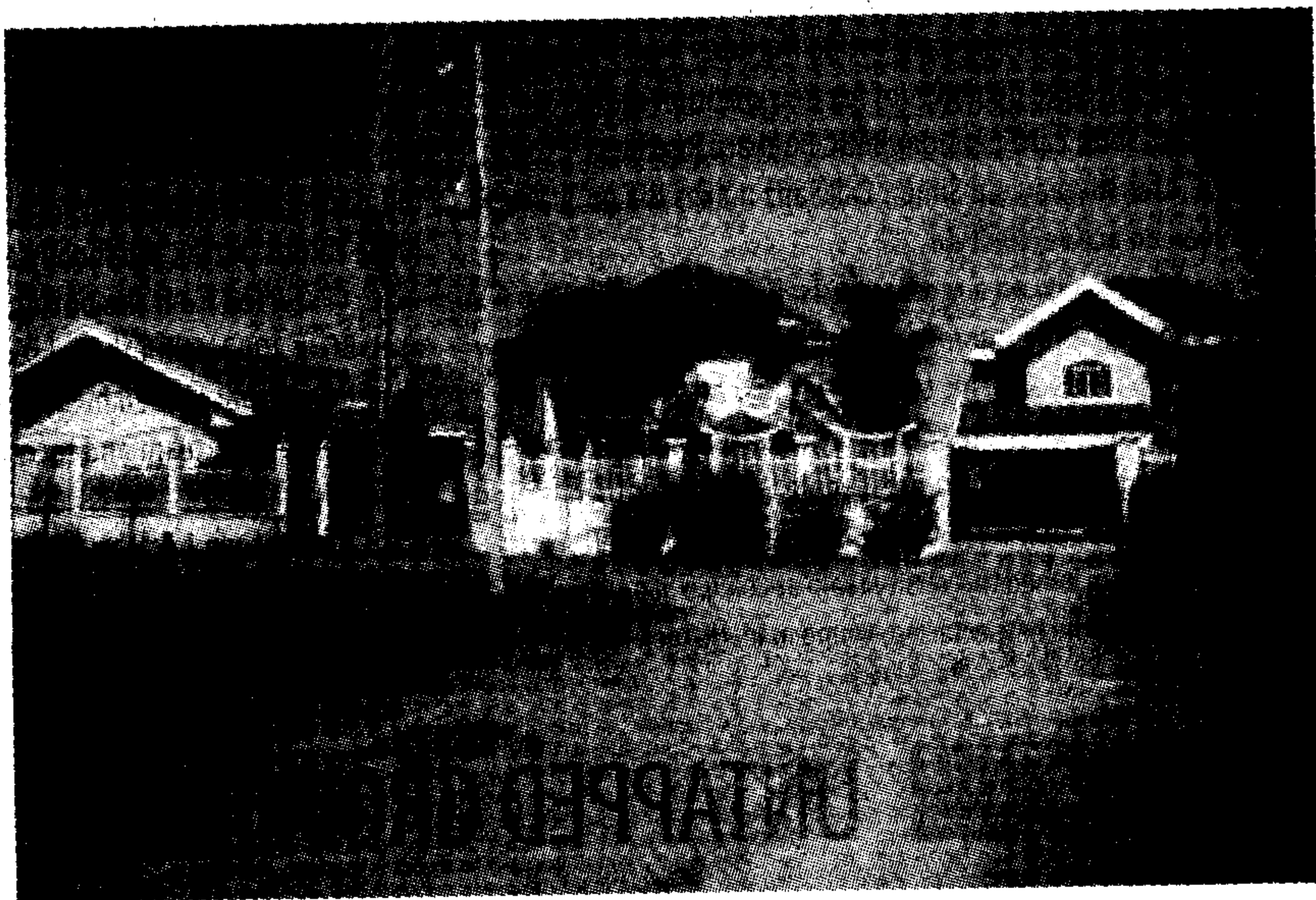
An investigation by a DENR task force, headed by lawyer Hipolito Salatan, the agency’s legal counsel in the region, corroborated the complainant’s pro-

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DENR execs in La Union accused
of conniving with land-grabbers



THE mansions built majestically on "underwater, salvage zone." ORLY GUIRAO

test that her property and those of Lim's and Castillo's lots were never "underwater" contrary to the findings of the three accused DENR officials.

Paredes earlier filed a derogatory information against DENR Regional Director Samuel Penafiel with the Ombudsman for allegedly covering up the fake surveys conducted by Boquiren, Santiago and Manalac. Penafiel retired recently.

Hidalgo, who died during the pendency of the case, was represented by his daughter, Azalea Hidalgo, known to be a live-in partner of a retired military general-turned-politician from La Union.

The conflict, if remained unresolved, could have turned into a bloody clash between the influential Hidalgo group and the harassed land-owners who have posted perimeter guards in the area.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE
BUSINESS BEAT

Alternative jobs needed



By MELITO SALAZAR JR.

CHANGE is not just coming; for a number of areas it is here. The landscape of the illegal drug trade industry has dramatically changed. The market has significantly shrank as buyers either voluntarily surrender or are terminated in encounters with peace officers. The users left are faced with high prices as the supply chain has been disrupted by either the capture, surrender, or elimination of drug pushers and even a few manufacturers. The protectors and their bevy of collectors are lying low as top police generals have been named and shamed by President Duterte for not exerting efforts to curb the illegal trade in their area or for accepting support from them.

What may be lost in the general hype of approval of the Duterte's administration drive against illegal drugs and the corollary programs it has spawned is that more Filipinos are on the streets jobless — drug users who were working but are now under confinement or rehabilitation; drug pushers who used to make good margins on their sales; the drug lord and

the manufacturing staff, including other support staff. Income and therefore their ability to pump funds in the local economy has diminished, as drug lords are forced to close down and their protectors are out of jobs.

It is not only in the illegal drug trade that one is witnessing this situation. Ever since President Duterte expressed concern in his first cabinet meeting on June 30 about the proliferation of online gambling around the country and directed Pagcor to revoke the licenses of the operators involved, I have been anticipating massive layoffs in the sector. The case of PhilWeb is instructive. While most are focusing on the moves against it as the personal "vendetta" of the President against businessman Roberto V. Ongpin, I would rather see it as the initial fulfillment of the President's promise to close down a business because in the words of Pagcor Chair Andrea Domingo, "of the social ills and decay they foist on our communities as they cater to the more economically vulnerable portion of our population." It is not only the small 131 businessmen who invested an estimated ₱1.8 billion in aggregate but more tragically the 6,000 employees and

their families who are suffering. Once the Pagcor goes full gear and implements the President's directive to go after other operators, how many tens of thousands will join the ranks of the unemployed.

The mining industry is in the doldrums as the crusading Department of Environment and Natural Resources secretary is determined to close down all polluting and destructive mining companies which, by her definition, seem to be all the existing ones. Already suffering from the inaction of the Aquino administration on needed support for the industry, the aggressive action of the Duterte administration may deal the final death blow to an industry that not only earns substantial foreign exchange but employs thousands of workers that stimulate local economies.

Since some firms in the two legal industries are listed in the Philippine Stock Exchange, we have seen how the regulatory moves against them have not only affected the stock prices but have served as dampeners to the market. Again, jobs could be lost, earnings down, accompanied by less spending in the restaurants in the Makati and Ortigas areas as well as postponed purchases of high-end commodities. Tightening of the belt will not help achieve a Duterte administration's

wish for higher and equitable economic growth.

The urgent task is to generate alternative jobs for those laid off and losing their livelihoods. The Duterte administration can not wait for the jobs generated by new enterprises as it will take some time to get start-ups going. In the meantime, no jobs and no incomes could lead to a creeping disillusionment with the new administration.

Only government is in a position to create jobs fast. It could follow the Emergency Employment Administration model of the Diosdado Macapagal administration. It could borrow from the Franklin Delano Roosevelt program that reversed the Great Depression in the USA and even commissioned artists to perform in public places and painters to enliven public buildings. It could expand the Conditional Cash Transfer program to include drug users undergoing rehabilitation. Pending the restoration of mandatory ROTC, it could conscript able-bodied, young, and unemployed Filipinos and make them undergo military and disaster management training in the camps.

I am sure there are other ideas; what is important is — have the jobs now!

DENR to send team to check on Semirara

By TARA YAP

ILOILO CITY – The Department of Environment and Natural Resources (DENR) is sending a team in Semirara Island, Caluya town, Antique to validate the explanation of the country's largest coal producer on major concerns raised by DENR Secretary Gina Lopez.

Jonathan Bulos, Western Visayas regional director of Environmental Management Bureau, an attached agency of DENR, confirmed the sending of the team.

The DENR Central Office issued a show-cause order against Semirara Mining and Power Corp. (SMPC), a subsidiary of DMCI Holdings, Inc.

SMPC was asked to explain why its Environment Compliance Certificate (ECC) issued by the EMB should not be

cancelled.

SMPC submitted a statement to the DENR last August 16, but Bulos said the department still has to validate the explanations.

Semirara was cited for the reported siltation of marine areas, damage to coral life, toxic waste contaminating the water, complaints by seaweed farmers, hazardous working conditions, displacement of local residents, and land disputes.

Nine miners were also killed in July, 2015 when one of Semirara's open coalmine pits collapsed.

Bulos suggested to DENR Central Office that representatives from DENR-6's Western Visayas offices join the team.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



Miners upbeat on growth despite gov't crackdown

By Janina C. Lim
Reporter

MINERS said they can thrive even under tougher regulation from the new government, based on the promise of greater investment in the industry.

“(President Rodrigo R. Duterte) is inviting investment so we’ll be part of that,” said Chamber of Mines of the Philippines (CoMP) Executive Vice-President Nelia T. Halcon in a phone interview.

Asked on her view of the President’s observation that mining is en route to becoming a “sunset industry,” Ms. Halcon said: “I think he was referring to the irresponsible miners only. Duterte only instructed to follow the law and work responsibly. That’s all.”

The president also said that the country “will survive as a nation without (mining)” downplaying the P40 billion in revenue earned by the government from mining annually.

In response CoMP said in a statement: “The industry’s contribution to the economy may be small at this time due to the uncertainties it has suffered the last six years. If it is promoted and developed to its fullest in a favorable investment environment, it can become a game changer in economic development.”

For his part, newly installed Mines and Geosciences Bureau Director Mario Luis A. Jacinto said that “mining is always a substantial investment” but its potential to be an economic booster boils down to how the country’s makes use of its resources.

“It will depend on the options that we have. We have resources but how do we utilize it because these are God-given resources like any resource,” Mr. Jacinto said in a phone interview.

Jose Bayani D. Baylon, vice-president for Corporate Communications of NickelAsia, concurred in seeing positive prospects.

“I believe there are prospects for growth because I do not believe the Philippines can turn its back on re-

sponsible mining,” said Mr. Baylon in a text message.

In a three-day conference starting Tuesday, miners are set to gather to discuss the future of mining and game plan for the new reality of tougher regulation. The conference this year is called “Realizing the Potential of the Mining Industry as a New Regime.”

The event will showcase best practices in environmental protection, economic efficiency and social development amid challenges in the international and domestic markets.

“The mining industry is an important sector of the economy as it is basic in any plan for industrialization,” added CoMP.

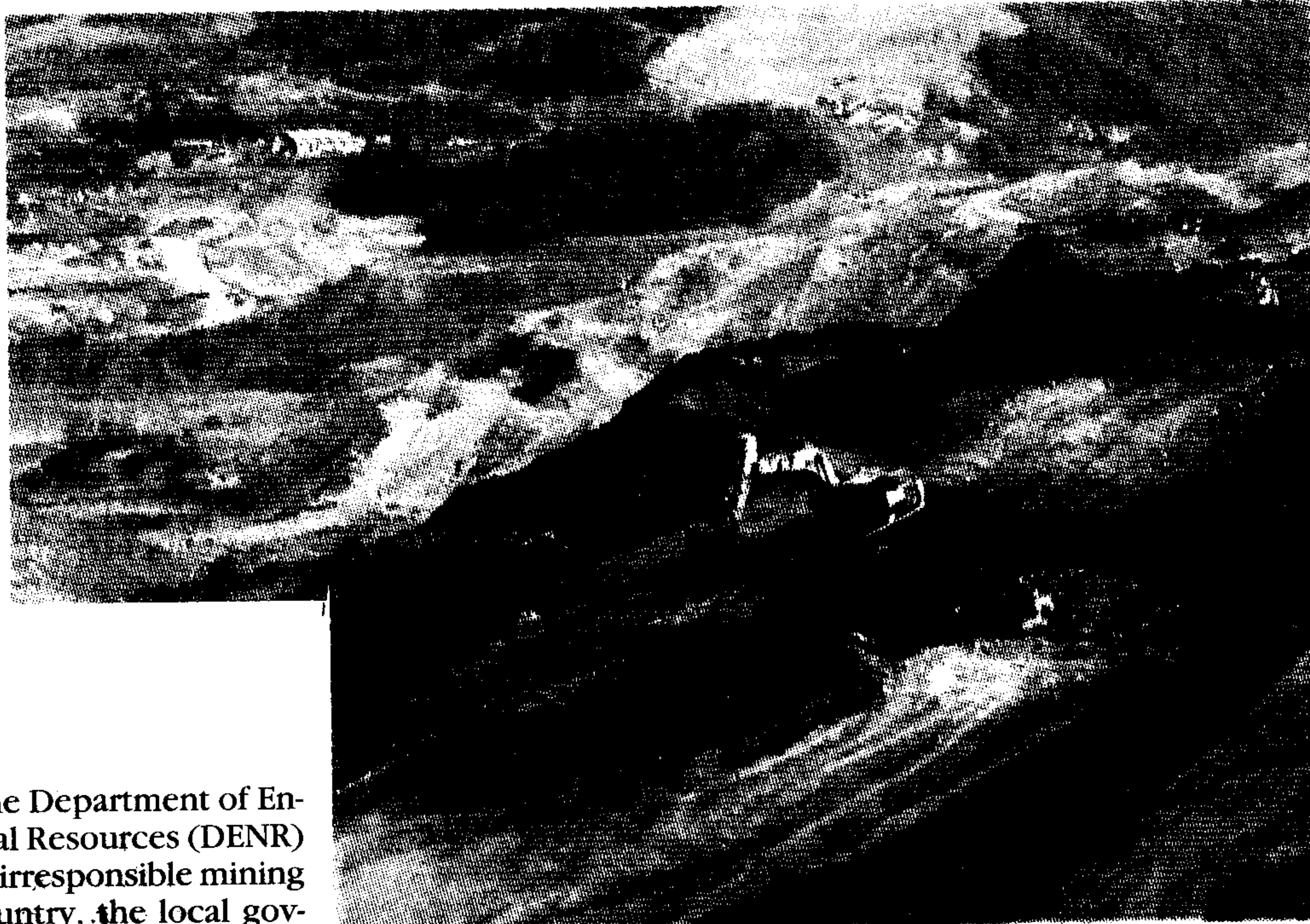
“The only way to move forward is through responsible mining and we remain confident that Chamber members still have a crucial role to play in nation-building since those gathered for Mining Philippines are pioneers and leaders in responsible mining in the country and the world,” CoMP President Benjamin Philip G. Romualdez was quoted as saying in the CoMP statement.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Town backs mine audit but worried over work displacement

BY JED MACAPAGAL

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BUTUAN CITY - As the Department of Environment and Natural Resources (DENR) leads an audit to curb irresponsible mining operations in the country, the local government here said the agency should also have a definite plan for workers who may be displaced by the initiative.

Agusan del Norte Gov. Angel Amante-Matba said while she supports the audit that is supposed to identify erring mining firms, the welfare of the people that might lose their jobs must also be considered and definite measures must be put in place.

"We should be very specific. The help

Tubay nickel project of SRMI.

that they will give would approximate what we are getting every month... So, what I want is when you say that (they will provide livelihood programs) you have to be very specific. You have to tell me in pesos. How many families can we accommodate per month? For how long?" Matba told reporters at a briefing here over the

P15 million, you can say that it is a small amount in terms of taxes, but you have to quantify the salaries they provide that is not shouldered by the government... That is the multiplier that we are not quantifying because we are only focused on the taxes

weekend.

Earlier, environment secretary Regina Lopez said should any mine be suspended or closed, she will make sure that anyone who works in the mine will not be disadvantaged.

Matba said SR Metals Inc. (SRMI) and Agata Mining Ventures Inc., the two mining companies operating in the province, have helped the community, providing jobs and taxes that spurred economic activities.

"If SRMI gives P23 million worth of annual taxes here and Agata is another

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TOWN BACKS MINING - - -

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TOWN

What about the businesses that sprouted especially since people had the money to spend, was it quantified?" she said.

The governor appealed to the DENR to be wary as some complaints on mining firms are politically motivated.

"Not all mining companies are bad. I would understand if you go after companies which are destroying the environment but if the companies are following the rules of our country, the rules of DENR, what is the reason you will close it? How will you help me secretary (Lopez) to accommodate all the people that will be displaced? I'll be the one answerable to them because I am the leader here," Matba stressed.

Locals of the community also claimed that the mining operations in the province, particularly that of SRMI, affected them in a positive way.

Datu Bebuar Manlatan, a leader of one of the 13 tribal groups affected by the company's operations, said if mining in the area will be stopped, people will be forced to return to their previous jobs as farmers and fishermen without a stable source of income.

He also said some tribal groups which staged protests against mining firms were not legitimate indigenous people.

"They are fakes and maybe not even members of the NCIP (National Commission on Indigenous Peoples)... We will not hold rallies because of mining operations, we are accredited to sign MOA (memorandum of agreement) and MOU (memorandum of understanding) ... There is also FPIC (free, prior and informed consent) and as long as royalties are given, we are okay," Manlatan said.

Manlatan is confident that when the DENR audit team went to the province to check the mining operations of SRMI, nothing was found to be destructive to the environment.

"I can assure that we are the first ones who will ask for the closure of the mines if they will not follow proper standards," Manlatan added.

Rosalina Oguzo, barangay captain of Binuangan which is another impact area of SRMI's operation, said among the questions asked by DENR's audit team are the benefits the community gets from the Tubay Nickel Mining project

of the company.

Oguzo noted the mining operations paved the way for small businesses to prosper, giving scholarships and medical assistance as well as various interventions to improve agriculture, livestock and fisheries in the province.

"The company also conducts a monthly test to check the quality of air and water to check if it is safe for the community," Oguzo added.

Alfredo Belen Jr., SRMI tenements manager, said the audit conducted by the DENR is tough but fair.

"The social audit, I would say that it is very thorough but it was an independent audit. We didn't go with them. They went out to the local community and talked to whoever they want to... The rules are very strict. They were not allowed to ask if the respondent was pro or anti SRMI... They asked around, the questions and observations went down on paper, they gave it to us and asked us to comment," Belen said.

Belen said the technical audit of the DENR, meanwhile, focused on the availability of all the

permits, documents and papers needed by the company to operate under the law.

"You produce 145 different documents, you give a hard copy, a soft copy... The parameters were fair and there is a listing of papers that they will ask you to give. Either you have it or you don't have it. If you're asked for a copy of the MPSA (mineral production sharing agreement) and you cannot show it, then it's your problem," he said.

Belen added SRMI's MPSA area in the province is 1,079 hectares but with only around 200 hectares being actively mined to date.

Earlier, DENR said the audit on all operating mines in the country is expected to be completed within the month.

"We are not political, we are not witch-hunting. It is (not about) large scale, small scale mining, everything. Because it's the Filipino resources so we have to make sure it is well utilized... We are evaluating all existing permits and ECCs (environmental compliance certificates) not only of any particular kind," Lopez had said.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Philex says it paid P10B taxes in last five years

PANGILINAN-LED Philex Mining Corp. said it has contributed about P10.12 billion in regular and mining-related taxes to the government between 2011 and 2015 which led to community development, nation building and economic progress.

The company, which now only has Padcal for its operating mine, claimed it paid 100 percent of the required regular taxes amounting to P6.6 billion as well as the P3.5 billion mining-related taxes in the five-year period.

The company also said P38.6 billion or 69 percent of its

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PHILEX

P56 billion gross revenue over a five-year period ending 2015 was shared by various stakeholders such as employees, contractors and suppliers to account for the operating expenses, while 18 percent or P10.12 billion went to government for taxes and contributions, and only 13 percent or P7.3 billion was net income.

Philex Mining reported it accounts for 76 to 85 percent or P131.6 million of Tuba, Benguet's revenues, excluding its internal revenue allotment (IRA), through various taxes for 2014 to 2015.

This is almost at par with the allocation of P161 million for Tuba in the form of its IRA, which is a local government's share of revenues from the national government, the company said.

For Itogon, the company noted it accounted for 45 to 57 percent or P131.53 million of the host town's

revenues other than its IRA for 2014 to 2015.

In Padcal mine's host barangay, Camp 3 in Tuba, its revenue of P18.5 million in 2015 is equivalent to the combined revenues of eight barangays. Twelve out of 13 barangays in Tuba rely largely on IRA, as local taxes account for only six percent of total revenues, the company said.

In the Itogon village of Ampucao, another host barangay of Padcal mine, the P22.9 million revenues for 2015 is equivalent to the revenues of five barangays, also owing to mining-related and real-property taxes derived from Philex Mining's operations. Seven of the town's nine barangays depend largely on IRA, as local taxes account for only five percent of total revenues.

Philex Mining earlier said P18 billion in direct and indirect taxes were collected from the Pad-

cal operations between 1976 and 2012, which is equivalent to building 700 kilometers of roads and more than 24,000 school classrooms.

Padcal mine has barangay Camp 1 and Ansanagan, both in Tuba, and Brgy. Dalupirip in Itogon for its neighboring communities. Both the host and neighboring villages are called outlying communities with 7,896 households or a combined population of 27,266.

Last month, Philex Mining reported its net income rose 34 percent to P757 million for the first half of the year from P565 million in the same period last year, due to improved production and higher gold prices.

"From an operational and financial standpoint, the pricing environment, at least for gold, has so far been favorable to us during the first half of the

year," Eulalio Austin Jr., Philex Mining president and chief executive officer, said earlier.

"We hope this trend is sustained for the remainder of the year, which we aim to take full advantage of by further ramping up our production, which already started during the month of June," Austin added.

He also said the company supports the government's thrust for responsible mining.

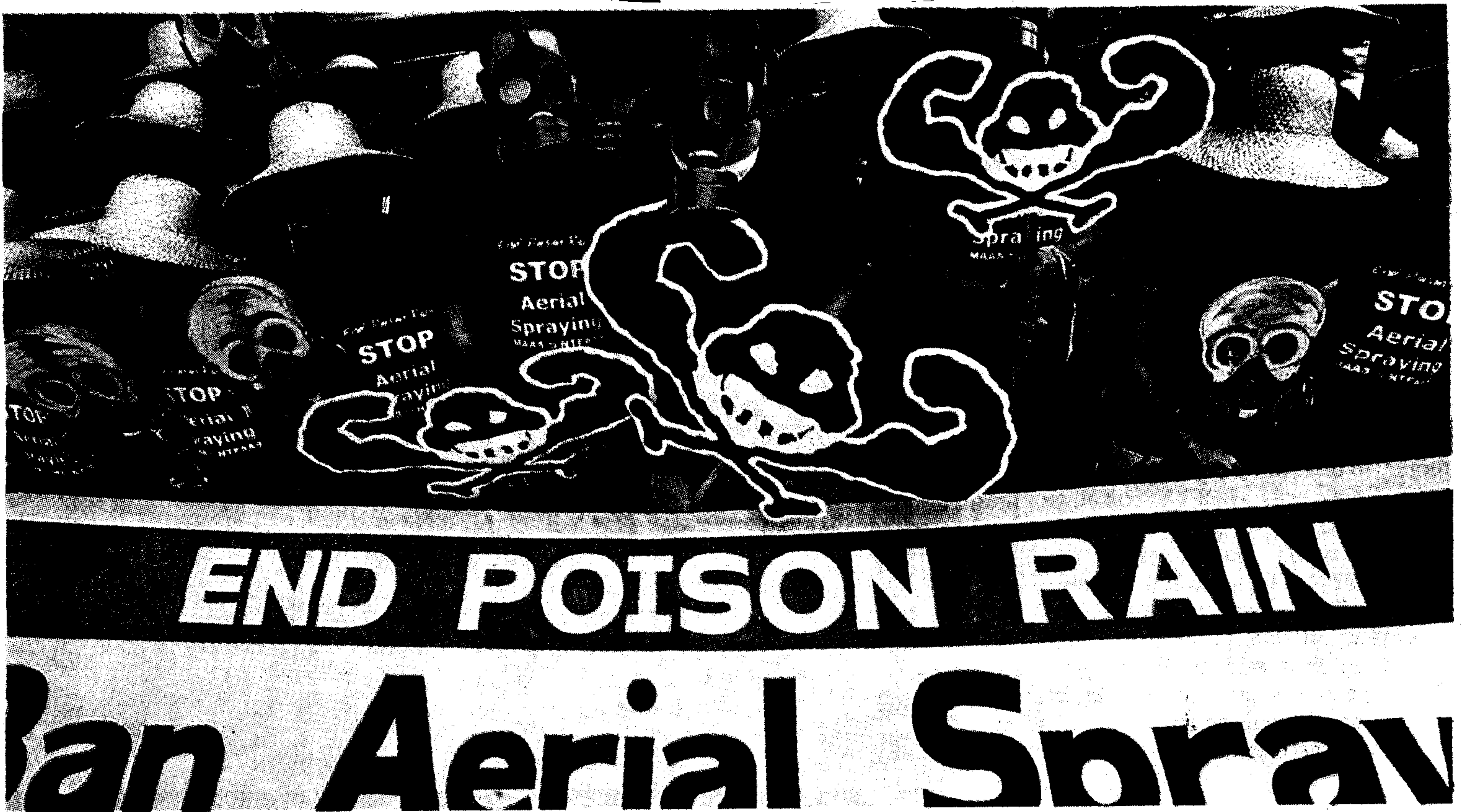
"We believe the Department of Environment and Natural Resources' (DENR) strong stance against unlawful and irresponsible mining activities will clean up the local mining sector," Austin said.

He added: "In support of DENR's objectives, we will be as vigilant as ever, we will continue to uphold our tradition of responsible mining in accordance with law and pursue inclusive growth within our areas of operation."

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

SC voids ordinance vs aerial spraying

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IN 2009, farmers and health and environmental activists from Mindanao staged a protest at the Department of Health office in Manila to urge its officials to protect them from chemical pollution caused by the aerial dispersal of pesticides.

INQUIRER PHOTO

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AERIAL SPRAYING . . .

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By Vince F. Nonato

THE SUPREME Court has ruled an unconstitutional a Davao City ordinance banning aerial spraying as an agricultural practice.

In a unanimous en banc decision on Tuesday, the high court denied the city's petition challenging the Court of Appeals' ruling against the ordinance, which was approved by President Duterte when he was Davao mayor in 2007.

The high court, through Associate Justice Lucas Bersamin, found Ordinance No. 309-7 (An ordinance banning aerial spraying as an agricultural practice in all agricultural activities by all agricultural entities in Davao City) to have violated the Constitution's equal protection clause.

This was because the ordinance made no substantial distinction when it prohibited aerial spraying, regardless of the substance or the level of concentration of chemicals to be applied. The high court also noted that the ordinance imposed a 30-me-

ter buffer zone in all agricultural landholdings regardless of size.

It said the city "must not act arbitrarily, whimsically or despotically regardless of the ordinance's salutary purpose."

The INQUIRER, on Sunday, tried but failed to reach any Davao City official authorized to comment on the court's decision.

The high court said the ordinance also violated due process rights of banana growers. It said they were deprived of efficient means to combat plant diseases, noting that three months were not enough to shift from aerial to trunk-mounted boom spraying.

Lastly, the SC said the Davao City government had no authority to regulate and control the use of pesticides and agricultural chemicals, because this is lodged with the Fertilizer and Pesticides Authority (FPA).

The high court said the ordinance was ultra vires (issued beyond legal authority), because

it prohibits an activity already regulated through FPA's regulations under Memorandum Circular No. 2, series of 2009.

The ordinance was challenged by the Pilipino Banana Growers and Exporters Association Inc. (PBGEA) after it took effect on March 23, 2007, a month after Mr. Duterte approved the rules.

Although banana growers initially won an injunction against the ordinance, the Davao City Regional Trial Court declared it valid and constitutional. The Court of Appeals, on Jan. 9, 2009, reversed the trial court's decision and voided the ordinance for being unconstitutional.



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

WWF-Philippines, ComCo Southeast Asia join forces for environmental conservation



WWF-Philippines president Joel Palma (left) and ComCo Southeast Asia regional managing director Ferdinand Bondoy sealing their partnership with a handshake.

WWF-Philippines, the country's leading conservation organization, recently inked a partnership with ComCo Southeast Asia, a coalition of premier brand architects and communication trailblazers in the region.

WWF-Philippines is a conservation organization dedicated to building a future where people and nature thrive. For 20 years, it has tirelessly endeavored to bring together stakeholders from various sectors to collaborate for environmental sustainability. By designing, implementing and managing science-based projects from grassroots to policy levels, WWF-Philippines has positively transformed the lives of thousands of Filipinos while conserving some of the richest habitats in the Philippines.

"We're excited to be working with partners that share the same vision and passion as WWF-Philippines in conserving the environment and addressing climate change," says WWF-Philippines president Joel Palma.

ComCo Southeast Asia is a communica-

tions agency offering integrated marketing solutions, from insights mapping and strategic planning to seamless executions in relevant communications touchpoints.

"We look forward to this collaboration and the opportunity to engage and mobilize people and organizations behind a shared desire to address these conservation challenges," says ComCo Southeast Asia regional managing director Ferdinand Bondoy.

ComCo Southeast Asia aims to deliver creative and compelling campaigns while providing strategic communications advice to drive more support for WWF-Philippines' conservation programs.

Members of ComCo have been helping WWF-Philippines through such events as Earth Hour, the WWF Stewardship Campaign, the Bright Skies program for Tubbataha and Apo Reefs, the TAMS-2 tamaraw conservation program, a dolphin mural painting marathon and most recently, the Reefstrokes Campaign, which aimed to promote the conservation of the Verde Island Passage.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

EDC reaches out to community

On project's environmental concerns

By MYRNA M. VELASCO

Lopez-run Energy Development Corporation (EDC) is expanding the capacity of its Southern Negros Geothermal Plant (SNGP) by 60 megawatts, but as a responsible corporate citizen, it has been flexing muscles first to explain and clarify environmental issues thrown against the project.

The company thus opened its doors to a site visit by various stakeholders raising concerns on the planned power facility expansion – including those that will be directly affected at its project site in Valencia, Negros Oriental.

EDC said it arranged the site visit for the affected constituencies “to dispel erroneous environmental allegations about its 60-megawatt expansion plan.” Most of the invited stakeholder-visitors have been local and international non-government organizations (NGOs), including Green Convergence, The Climate Reality Project-Philippines, Haribon Foundation, Archdiocesan Ministry on Environment, SEED4COM, Let's Do It Philippines, EcoAgri, Climate Change Congress of the Philippines, and Development Options and Social Entrepreneurship, Inc.

The publicly-listed firm announced that it will be expanding the capacity of its Southern Negros geothermal facility to 282.5 megawatts from currently at 222.5 megawatts – fundamentally, to help address Visayas grid's growing electricity requirements.

The apprehension of many interest groups and affected parties stemmed from reports that the planned investment expansion at the plant will require an additional 5,163 hectares – with fears

hoisted that this “may encroach on Mount Talinis” – considered a key biodiversity zone in Negros Oriental.

With the site visit, EDC qualified that the stakeholders were able to understand and be clarified upon that “the EDC expansion calls for an increase in capacity, not in area.”

According to Jay Joel Soriano, head of EDC's Negros Integrated Geothermal Business Unit (NIGBU), the company “will confine expansion within SNGP's existing geothermal production block in Valencia.”

He stressed “I believe the issue about SNGP's plan to expand by another 5,163 hectares is a result of a misunderstanding,” qualifying further that in reality, “the supposed additional expansion area corresponds to our existing development block.”

Soriano reiterated and explicitly set on record that “as we have been saying, we are not in Mount Talinis and we are not going to Mount Talinis.”

NIGBU Senior Manager Vicente Omandam, similarly noted that “Mount

Talinis is two mountains away from our location...from here, it will take you almost a day of walking to reach it.”

The company's existing geothermal production or development block traverses an area of 5,163 hectares along the stretch of Palinpinon-Okoy watershed in Valencia, which was emphasized to have been “physically separate” from Mount Talinis.

EDC explained that “within the geothermal production field, SNGP's steam field and power plant occupy less than 200 hectares, and the expansion will be confined within the existing development block of 5,163 hectares.”

For the proposed capacity expansion, EDC is still awaiting the release of its Environmental Compliance Certificate (ECC) from the Department of Environment and Natural Resources.

“Contrary to criticism from some quarters about EDC's lack of transparency and stakeholder support, the company has gone through public consultations and hearings for its ECC application and has received the strong

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

EDC reaches out to community P-2



GEOTHERMAL SITE VISIT – Guests and hosts pose for a group photo during their recent visit to the Southern Negros Geothermal Power Plant (SNGP) in Valencia, Negros Oriental. Energy Development Corporation, the country's biggest geothermal energy producer, is expanding SNGP's capacity from 222.5 to 282.5 megawatts to meet the region's growing electricity needs. It organized the site visit to dispel erroneous environmental allegations about its 60-MW expansion plan. NGOs that sent officials or representatives to the site visit included Green Convergence, The Climate Reality Project – Philippines, Haribon Foundation, Archdiocesan Ministry on Environment, SEED4COM, Let's Do It Philippines, EcoAgri, Climate Change Congress of the Philippines, and Development Options and Social Entrepreneurship, Inc. SNGP's existing geothermal production or development block spans 5,163 hectares located in the Palinpinon-Okoy watershed in Valencia, which is far from Mount Talinis, a key biodiversity area in Negros Oriental. Within the geothermal production field, SNGP's steam field and power plant occupy less than 200 hectares, and the expansion will be confined within the existing development block of 5,163 hectares, and not in Mount Talinis.

endorsement for an ECC from the host communities and local government of Valencia," the Lopez firm said.

Soriano also pointed out that "pending the release of the ECC, EDC has not begun any activity for its proposed geothermal expansion project."

EDC relayed that after the visit, Dr. Angelina Galang, president of Green Convergence, sounded off that they opted to throw their support to the project. Green Convergence is a coalition of networks and individuals working for sustainable development.

"We in the Green Convergence Board commend EDC for its environmental practices and processes. These practices and processes in protecting the environment and in developing clean and renewable energy should be emulated, not criticized," Dr. Galang said during the site visit.

Rodne Galicha, Philippine country manager of CRP under former US Vice President Al Gore, also expressed satisfaction over EDC's openness and appealed that any issue raised

on their project should be addressed in a manner, which conforms to international standards and targets of relevant sustainable development goals supported by empirical evidence.

"We are happy that EDC has clarified the issues raised against it, however, we call on both parties, including the DENR, to sit down together for a genuine dialogue in good faith, with full transparency and participation of communities. Negros Island has won the battle against dirty old coal and is blessed with renewable energy sources such as geothermal to utilize without compromising the capacity of the next generations to survive while addressing the present needs of its people," Galicha said.

Omandam also shared with the visitors SNGP's on-going "10M in 10" project. Under the project, SNGP is forging a partnership with various groups to plant 10 million tree seedlings in 10 years. Started last year as part of EDC's nationwide BINHI reforestation program, the "10M in 10" project is considered the first and biggest private sector-led forest restoration program in one region.

Trees planted under the "10M in 10" project will come on top of 3.2 million trees replanted in earlier tree-planting activities of EDC.

Omandam showcased the replanting activities to dispel reports about SNGP's illegal cutting activity. "We cannot exist without forests because we rely heavily on healthy watersheds to recharge our geothermal reservoir," Omandam explained. "Without them, our steam fields will dry up and will cease to supply geothermal energy to our power plants."

Soriano also stressed that EDC adopts the international planning tool, called "mitigation hierarchy", that requires a sequence of actions to avoid adverse environmental impacts.

"Under this hierarchy, the first action is to avoid an impact. Where avoidance is not possible, impacts are minimized. When impacts occur, these are rehabilitated or restored and where residual impacts remain, there should be an environmental offset," Soriano explained.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Earth destroys another heat record

AS more than 100,000 Americans flee destructive wildfires in California and floods in Louisiana, Earth sends yet another reminder that the worst is yet to come: a new record for planet-wide heat.

Last month wasn't just the hottest July on record for the surface of the Earth. It continued the longest-ever streak of record-breaking months—15, according to data released on Wednesday by the National Oceanic and Atmospheric Administration (NOAA).

July followed the hottest June, May, April, March, February, January, December, November, October and September, along with last August, July, June and May.

The extremes of recent months are such that we're only midway into 2016, and there's already a greater than 99-percent likelihood that this year will go down as the hottest on record, according to Gavin Schmidt, who directs the National Aeronautics and Space Administration's (Nasa) Goddard Institute for Space Studies.

Nasa and NOAA maintain independent records of the earth's temperatures, and both agree

that last month was a scorcher. "July 2016 was absolutely the hottest month since the instrumental records began," Schmidt wrote on Twitter.

An interactive chart shows Earth's warming climate, measured by land and sea, dating back to 1880. In Baton Rouge, Louisiana, days of heavy rainfall caused water to overrun levees along several tributaries this week. About 40,000 homes in southeastern Louisiana have been affected by the floods, and at least 11 people have died.

In California more than 80,000 people fled out-of-control wildfires after the state's fifth year of drought turned forests into tinderboxes. Wildfire season typically doesn't begin until fall.

The July heat was experienced differently across the globe, but was felt to some degree almost everywhere. The dark red swaths

on the map show areas that set new records.

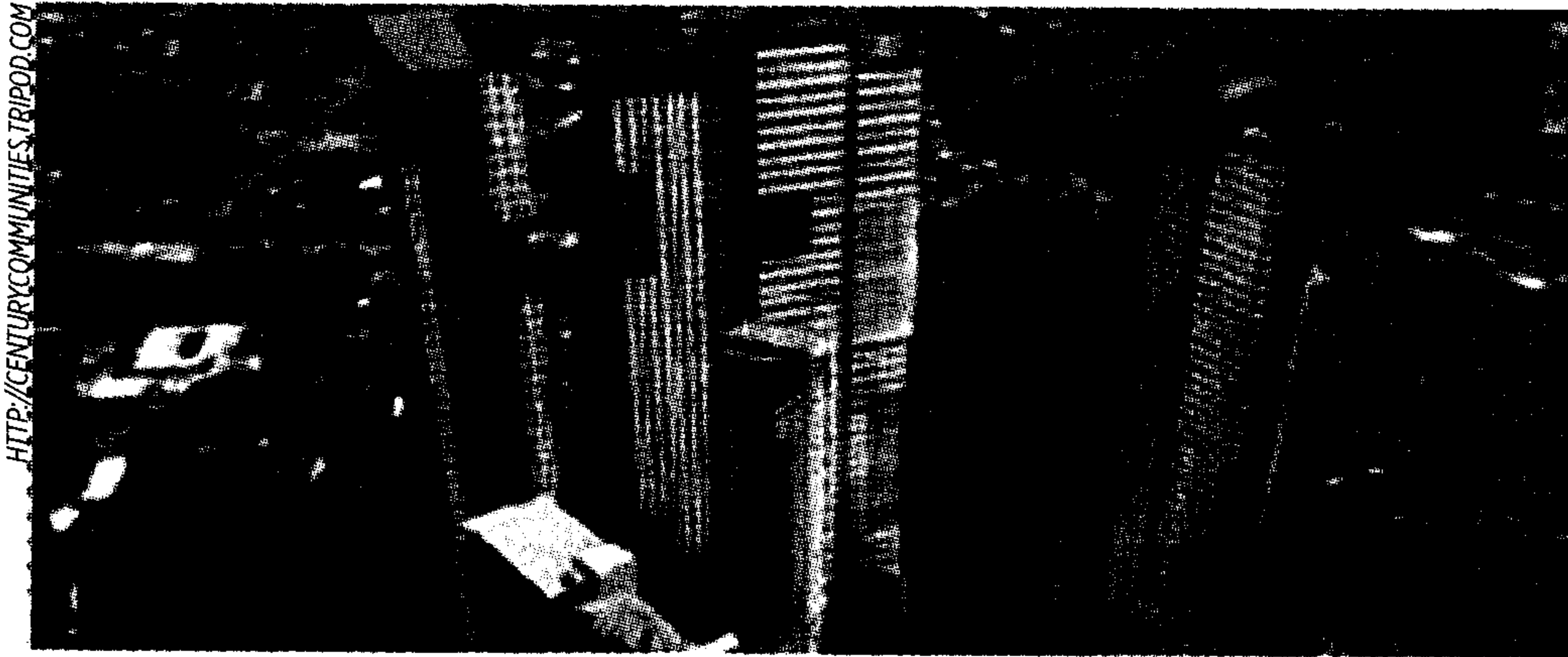
Some of this is still the result of El Niño, which releases heat from the Pacific that typically lingers for months after the underlying conditions subside.

Last year's powerful El Niño may soon shift to a cooling La Niña, according to NOAA's Climate Prediction Center. The agency gives a 55 percent to 60 percent chance of a La Niña pattern devel-

oping in the fall or winter. That, however, doesn't change earth's long-term trajectory.

This year is on track to be the third consecutive year to set a new global heat record. So far, 15 of the hottest 16 years ever measured have come in the 21st century. Results from the world's chief monitoring agencies vary slightly, but all agree that the extremes of 2016 are unrivaled—for now. *Bloomberg News*

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



CENTURY COMMUNITIES said it has complied with some of the Environment department's requirements.

Century Communities complies with DENR ECC requirements

CENTURY COMMUNITIES Corp., a subsidiary of the Century Properties Corp., which is being questioned on its compliance with conditions under its environmental compliance certificate (ECC), said it has met some of the requirements the Environment department has set for the firm.

"As required by the ECC, it has submitted prior a social development plan and has already appointed a pollution control officer for the said project," Century Communities said in an e-mailed statement.

It added that other requirements the company has applied for from other government

agencies, such as those from the local government unit, are still pending.

Some requirements of regulators, however, such as submitting a report weighing the project's actual impact as against predicted impacts, "are not applicable since the company has never commenced construction nor development on the subject property." — JCL

Full Story



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

'Let the Paris Agreement not be forgotten'

By MARILOU GUIEB
Correspondent

WHERE does your President [Duterte] stand on this [the Philippines's pledge to the Paris Agreement on climate change]? Frank Jotzo, deputy director of Crawford School of Public Policy at the Australian National University, popped this question during his lecture analyzing the Nationally Determined Contributions (NDCs) by Asian countries in a recent climate-change forum held at the School of Urban and Regional Planning at the University of the Philippines Diliman.

It is well known that after taking his oath, President Duterte had rather scathing remarks on climate change, saying that he had no intention of abiding by the pledges because the country is just beginning to industrialize.

In effect, he was saying the Philippines need to have a larger carbon footprint compared to other advanced countries that had squandered carbon emissions while developing their industries. President Duterte said he was not the one who signed the agreement. But a significant ideal given by Jotzo's lecture may well have neutralized the defiance of Mr. Duterte, even before he had expressed them.

"No one likes to reduce economic growth. What everyone wants to do is to take the pollution out of economic growth—have a decarbonized system. We want [economic] growth, but we want green growth," Jotzo said. And the matrix that gets directly to that objective is the ratio of emissions to GDP. Each country has its own scheme to reach the agreed temperature and net emission by mid-century well-below 2° Celsius.

Jotzo said China and India have defined their targets in this matrix, as they are uncertain about their future rates of GDP growth.

"If it turns out that they grow really fast in years to come, then this kind of commitment gives them room in their emissions," he said. "There are different value propositions based on what is politically, economically and socially feasible for every country and government," Jotzo added.

Besides the ratio of emissions to GDP, another scheme is for all countries to have only so much emissions per capita. Each of the 189 countries that have made commitments to the 2015 Paris Agreement have pledged to the global emissions reduction at 2°C by 2030 starting in 2020, and claim that they are consistent with the target. But because of the different values and schemes, most individual country pledges are not compatible with the 2°C expected outcome when all the pledges are added up.

"It comes out at 3°C," Jotzo said.

"There's a mismatch," Jotzo said, adding that there's a need to make every country understand that more needs to be done—and can be done.

Jotzo gave as an example his chosen home country, Australia. He said Australia is usually in the category of "not enough" because there is a commitment to reduce emissions by 26 percent to 28 percent.

"That, by itself, is a significant ambition. However, Australia is the highest per-capita emitter among the major countries and also among the richest countries in the world and, therefore, will be easy for them to pay for some action," he said.

Australia also uses a lot of coal energy, even while it has unlimited potential for renewable energy—wind solar, wave, biomass. But this will cost a lot of money so politicians are reluctant, he said. Each government looks into different schemes and chooses one that has them doing very little. It's a typical political process, Jotzo said.

Fair share

BUT Jotzo also stressed the significance of fair share, as in the case of the Philippine pledge.

The key aspect of the pledge, he cited, is that the country recognizes its responsibility to contribute its fair share to global action, and fair share presumes that richer countries will have to do more. Jotzo recommended that the right way to do this is to consider the country's growth and development and start from a consultative process to determine the peak in its emissions.

He said he particularly likes the view of the Philippine pledge because it explicitly recognizes that it is the start of a journey and not the end.

"It is not like saying 'OK we have submitted our documents to the UN [United Nations] so we have done our part.' This is saying this is the starting point for national and policy conversation about where we should go. The country views this as a transition as early as it can for resilient, efficient, adaptive sustainably clean-driven economy," Jotzo said, in praise of the Philippine pledge.

He also viewed that the 70-percent reduction of the Philippine pledge is certainly ambitious, especially in the light of the fact that the Philippine per-capita emission, compared to other countries, is somewhere at the bottom, while Australia is at the very top. He cited that the Philippine per-capita emission stands at 2 tons per person. Coincidentally, this is where the world needs to be around 2050.

Recognizing that there is no ethical basis for equitably allocating the space left in the atmosphere or for saying that one country should dispose less emissions into the atmosphere than another, the comparison nevertheless gives a glaring comparison that shows, which countries have to do more to come down to the level of the Philippine per-capita emission.

Jotzo also pointed out that the Asian Development Bank (ADB) member-countries, including the Philippines, have explicitly stated that their pledges will rely on financial and technological

aid. He considered this as a reasonable condition because their capacities to leverage all the required investments may not exist on the domestic level. Also, it offers a lot of opportunities for international investment, such as in energy-power generation and transport systems.

Many climate-change goals are linked to development goals, like for the 38 ADB member-countries, including all ADB developing countries, for which these goals, are conditioned on external financing. But Jotzo said seemingly, collaboration among countries lean heavily on the need to get money from other countries and that there is very little talk on opportunities on working together on research and development and on schemes to implement the pledges and programs.

He cited, for example, that among the ADB nations, 19 countries have renewable-energy targets, with some aiming for 100-percent shift to renewable sources of power. But in many of these cases, there are low-class grids, which can be seen as either a problem or an opportunity for countries to work on together, because there can be an option to work on something between islands. "You have renewables on low-class grids that sends specific problems but also specific opportunities because renewables are scalable infinitely compared to coal plants," Jotzo said.

He added that ambitious as the Philippine pledge may be, it is what countries should be aiming for. "Clearly you have an ambitious target here dependent on international support. Try to get that international support and channel it to different sectors," Jotzo advised the audience, including members of academe, scientists, environmentalists and urban planners. "Let's remind our government [Philippines's] of the Paris Agreement. Let it not be forgotten," he urged.

It is important to note that President Duterte, in his first State of the Nation Address last month, softened his stance on climate change and said global warming will be a "top priority" of his administration. "Addressing climate change shall be a top priority, but upon a fair and equitable equation. It should not stymie our industrialization," Duterte said in his speech. "I have to protect the country.... The interests of the country must come first."

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Developer says housing project complied with ECC requirements

PROPERTY developer Century Communities Corp. said it has complied with all the requirements set under its environmental compliance certificate (ECC) after the Department of Environment and Natural Resources (DENR) issued a show-cause order against it on a housing project inside the La Mesa Eco Park in Quezon city.

"As required by the ECC, it has submitted prior a social development plan and has already appointed a pollution control officer for the said project. Other requirements the company has applied for from other government agencies, such as those from the local government unit, are pending," Century Communities said in a statement.

The company also noted that other requirements being asked, including the monitoring of actual project impact against the predicted impacts are not applicable to the project since the company has not started construction or development on the property.

"The company is looking forward to working hand in hand with the DENR, including partnering with government agencies, to further safeguard public interest," Century Communities said.

Regina Lopez, DENR secretary, has ordered a review of the proposed housing project since

it is located inside a watershed where drinking water is being sourced.

"They have to secure the approval of the two water concessionaires operating in La Mesa, and I don't think that they will ever get that approval," Lopez had said.

The DENR also ordered for a review of the ECCs of the Tampakan copper and gold prospect in Mindanao as well as that of Semirara coal mining operations in Antique.

The agency said results of the ECC review are expected to be released by the middle of the month.

An ECC is among the permits that must be secured by business developers to prove that their proposed projects will not cause significant negative environmental impacts.

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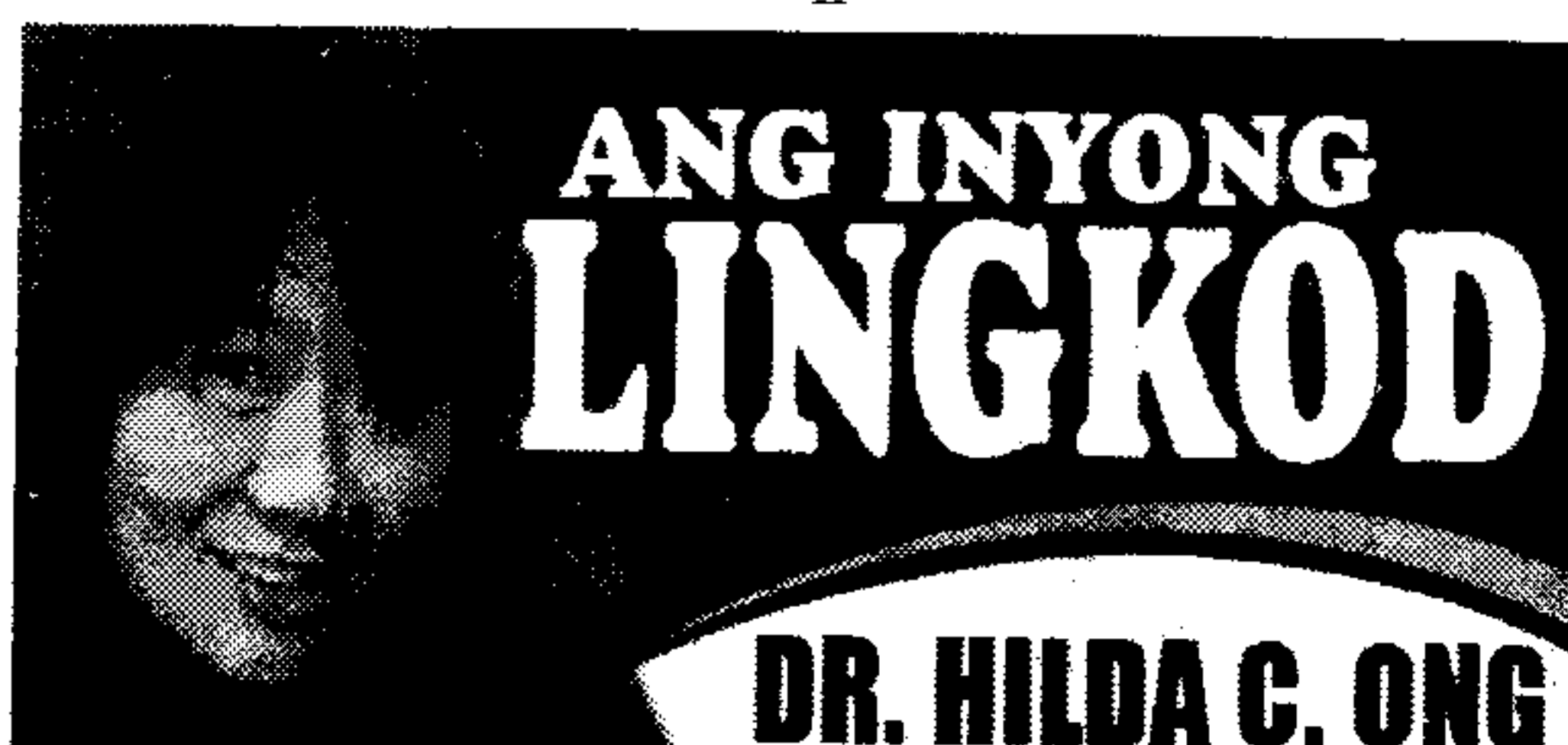
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NAGSAMA-SAMA ang walong ahensya ng pamahalaan sa pagbuo ng isang "Super Task Force" upang pigilan at kasuhan ang itinuturing bilang "large scale environmental crimes" at para masi-guro ang tamang pagpapatupad ng mga batas pangkalikasan.

Lumagda sa isang Memorandum of Agreement (MOA) kamakailan ang mga ahensyang ito sa pamamagitan ng kani-kanilang kinatawan, sina Secretary Regina P. Lopez ng Department of Environment and Natural Resources (DENR), Secretary Ismael Sueno ng Department of the Interior and Local Government (DILG), secretary Arthur P. Tugade ng Department of Transportation (DOTr), Undersecretary Eduardo del Rosario ng Department of National Defense (DND), police director general Ronald M. Dela Rosa na higit na kilala bilang si "Bato", at admiral William M. Melad ng Philippine Coast Guard (PCG). Kabilang din sa task force ang Armed Forces of the Philippines (AFP) sa pangunguna ni chief of staff, Lt. Gen. Ricardo Visaya.

Pangungunahan ng DENR ang National Anti-Environmental Crimes Task Force (NAECTF) na siyang mangunguna sa pagpapatupad ng



DR. HILDA C. ONG

SUPER TASK FORCE BINUO KONTRA ENVIRONMENTAL CRIMES

mga environmental laws mula sa "deterrence, investigation, arrest, searches, prosecution and enforcement of judgments" na may kinalaman sa illegal na-tural resources extraction, degradation at protection of environmental quality.

Bahagi ng nilagdaang MOA ang "Declaration of Cooperation" na nagsasaad ng dagliang pagresponde ng mga ahensya sa verified reports of large-scale environmental violations.

Isinasaad din sa kasunduan ang pagkakaloob ng proteksyon sa mga komunidad na nakararanas ng environmental injustice, harassment o threats mula sa mga environmental violators, magkaroon ng cross-agency coordination, magkaroon ng positibong epekto ang mga enforcement actions na isasagawa at maiwasan ang

pagsasamantala sa kalikasan at kapaligiran na isa sa mga kapangyarihang taglay ng enforcement agencies.

Ilan sa mga hakbang na gagawin ng NAECTF ay ang pagbubuo ng isang multi-sectoral law enforcement teams, pagtatayo ng mga check points lalong-lalo na sa mga kritikal na lugar gaya sa CARRAGA region na talamak sa illegal logging, pagkakaroon ng kampo o stations upang mapigilan ang paglabas o pagpasok ng mga illegally harvested/hunted natural resources.

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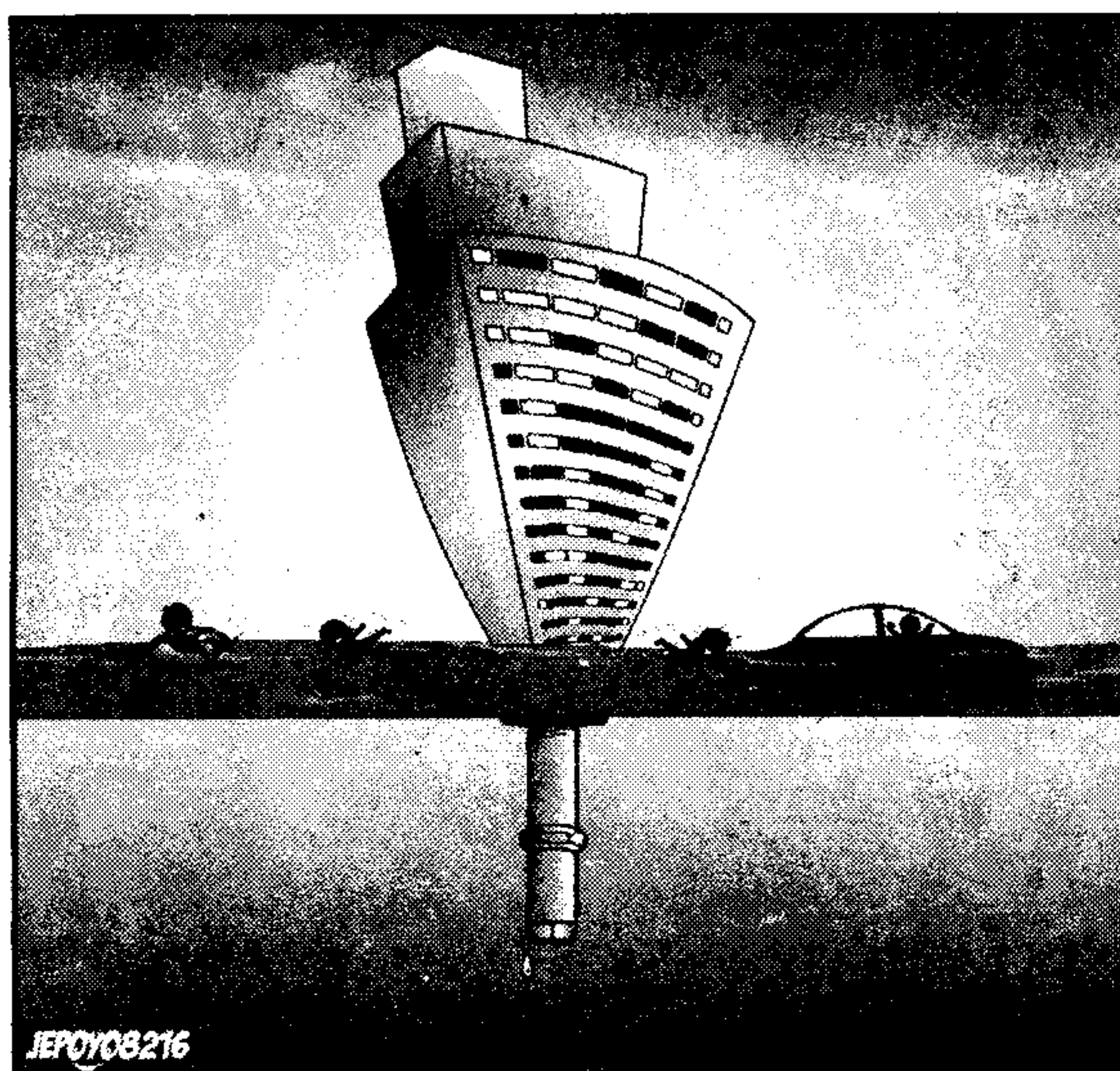
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Editorial

**Mga dumi ng
construction
companies, ang
nagpapabaha**

PATULOY ang pagbabaha sa Maynila, Quezon City at iba pang lungsod sa Metro Manila kahit pa may floodway projects na ginastusan ng bil-yong piso. Walang epekto at walang pagbabago sa matagal nang problemang dinaranas.

Noong nakaraang linggo, bumaha na naman sa España Blvd., Maceda at Blumentritt at sa marami pang lugar sa Sampaloc area. Nagmistulang swimming pool ang España na pinaglanguyan ng mga bata. Kung ano ang senaryo noon, ganito pa rin ngayon at tila wala nang magagawa pa ang mga taga-Department of Public Works and Highways (DPWH) at Metro Manila Development Authority (MMDA). Tila hindi nila makita ang dahilan kung bakit patuloy ang pagbaha. Ginawa na raw ang lahat pero wa epek pa rin.

Maging sa Taft Avenue ay ganundin ang problema. Lubog din sa baha kaya walang makadaan na maliliit na sasakyan. Hindi rin makita ang dahilan kung bakit patuloy na binabaha ang nasabing lugar.

Binabaha rin ang Rizal Avenue hanggang R. Papa St. Noon pa, binabaha na ang Rizal Avenue at hanggang ngayon, ganito pa rin ang senaryo. Walang katapusang baha na pasang-krus na ng mga residente at motorista. Kailan matatapos ang pagbaha na ilang dekada nang nararanasan at ilang presidente na ang nagdaan?

Isang report ang lumabas na ang mga iresponsible construction companies sa Maynila ang dahilan kaya may pagbaha. Ayon sa report, ang mga drainage ay punumpuno ng buhangin at graba na nagmula sa malalaking construction companies. Ang pinakamabigat, nakita rin na mga sementong natuyo ang nasa drainage. Umagos ang mga bagong halong semento sa drainage at natuyo. Ang mga iyon ang dahilan kaya ayaw umagos ang tubig.

Narapat obligahin ang mga construction companies na linisin ang mga drainage sa paligid ng kanilang project upang masiguro na walang pagbaha. Sila ang narapat managot kung bakit nagkakaroon nang pagbaha.

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ENDANGERED. An idyllic scene on the Enchanted River in Surigao del Sur.

'Protect Mindanao's Enchanted River, Little Niagara Falls'

TWO of the country's fastest-growing ecotourism havens—Enchanted River and Tinuy-an Falls—are being eyed for tagging as “protected natural parks” to preserve their unique physical and biological features and shield them from potentially destructive human exploitation.

Surigao del Sur Rep. Johnny Pimentel has filed House Bills 1903 and 2116, proposing to add the two wonders of nature, both located in his home province, to the national registry of 240 protected areas.

“No effort must be spared to conserve the magical river and the majestic falls, both of which are now clearly in danger of deg-

radation on account of unchecked human activities, spurred mainly by the growing number of local and foreign visitors,” Pimentel, a member of the House committee on natural resources, said.

“We want the proposed Enchanted River and Tinuy-an Falls natural parks to become the focus of highly aggressive conservation efforts, so that future generations of Filipinos may delight in their marvels,” Pimentel, a three-term former provincial governor, said.

Enchanted River is a scenic, deep spring tributary situated in Barangays Talisay and Cambatong in the municipality of Hinatuan.

The river was named by the late

Modesto Farolan, the country's first tourism commissioner (now the equivalent of tourism secretary), who was captivated by the waterway's natural beauty and splendor during a tour, and wrote a romantic poem, “Rio Encantado,” about it.

The extraordinarily clear blue, 270-meter river flows into the Philippine Sea and the Pacific Ocean through Hinatuan Bay.

Dubbed as the country's “Little Niagara Falls” after the great chutes that straddle the Canada-United States border, the multi-tiered cascades of Tinuy-an Falls are 55 meters high and 95 meters wide—the broadest falls in the Philippines.

Situated in Barangay Burboanan, Bislig City, Tinuy-an Falls has a highly diverse ecosystem that includes 235 varieties of plant and animal life, many of which have been marked “vulnerable” or “endangered.”

Under the National Integrated Protected Areas System Act of 1992, portions of land and water may be reserved as “protected areas,” by law or by presidential proclamation, to safeguard and enrich their exceptional qualities.

The Protected Areas and Wildlife Bureau oversees all protected areas, mostly with the help of local governments, or the state-run corporation that owns or controls the area.

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Climate-resilient communities, dapat asikasuhin

Binigyang-diin ni Climate Change Commission (CCC) Secretary Emmanuel De Guzman ang pangangailangan na patatagin ang mga komunidad sa epekto ng nagbabagong panahon upang mapangalagaan ang mga karapatang pantao ng mga maralita na pinakamahina sa matitinding hagupit ng panahon.

"Poverty, as we all know, breeds disaster vulnerability, and those who have least in life, sadly, risk life most. To be indifferent and to do nothing on the threats of climate change is therefore an injustice to the vulnerable poor," sabi ni De Guzman, vice chair at executive director ng CCC.

"That is why adaptation, mitigation,

and risk reduction are moral imperatives and clearly social justice in action. Building the resilience of our communities, especially the vulnerable poor and the marginalized, allows them not only to preserve their basic rights but also presents opportunities to thrive despite weather extremes and rising sea levels," dagdag niya.

Ayon kay De Guzman, kailangang paigtingin pa ng pambansa at lokal ang climate change adaptation, kabilang na ang risk assessment, public health services, pangangalaga sa ecosystem, pagpapabuti sa agricultural methods, pamamahala sa yamang tubig, at paglikha ng settlements

sa mga ligtas na lugar.

Batay sa 2016 Global Climate Risk Index of think-tank Germanwatch, pang-apat ang Pilipinas sa listahan ng mga bansa na pinakaapektado ng matitinding hagupit ng panahon mula 1995 hanggang 2014, sa likod ng Honduras, Myanmar at Haiti.

Natuklasan din sa pag-aaral na ang Pilipinas ang may pinakamaraming bilang ng extreme weather events sa parehong panahon sa 337, na nagdulot ng 1.10 pagkamatay sa bawat 100,000 residente, at halos 0.68 porsiyentong pagkalugi sa gross domestic product (GDP).

Ellalyn B. De Vera

Solon pushes for amendment to AFAB law

By MART T. SUPNAD

MARIVELES, Bataan—Representative Joet S. Garcia, 2nd district, has sought the immediate amendment to the law on AFAB (Authority of Freeport Area of Bataan) to further serve its purpose and entice more investors to invest here.

In an impromptu interview with this writer, Congressman Garcia said that one of the features of the existing AFAB that he wants to amend is the inclusion of the Department of Environment and Natural Resources and the Philippine Port Authority to be placed under AFAB, thereby fast tracking the services of the two national government agencies.

"If we have something to process or need in the DENR or PPA there is no need to go to the said offices just to secure their approval and other documents," pointed out Rep. Garcia.

Garcia's proposal immediately got support from local government officials of this town who are bent on backing the proposed amendments on the Authority of the Freeport Area of Bataan (AFAB) Law.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Agriculture journalists to elect new set of officers on Sept. 17

THE Philippine Agricultural Journalists Inc. (PAJ) will conduct its general assembly and elections on September 17 at the Philippine Coconut Authority (PCA) Auditorium, Elliptical Road, Quezon City, from 8 a.m. to 3 p.m.

Organized in 1976, the PAJ is one of the oldest organizations of editors, reporters, correspondents and information officers from the government and private sectors covering the departments of Agriculture (DA), Agrarian Reform (DAR), and Environment and Natural Resources (DENR). The more than 200 active members nationwide of PAJ are currently led by its president, Roman Floresca, former agribusiness editor of *Philippine Star*.

To be eligible to vote and get elected as one of the 15 members of the PAJ board of directors, current and prospective members must pay an annual membership fee of P200, and submit a duly accomplished membership form with current photograph. The form is available for download from PAJ Facebook account and PAJ Facebook page.

For membership application, please coordinate with PAJ Board Secretary Ma. Ruby Lumongsod at paj_1976@yahoo.com or (02)376-4790 and 0920-812-6421 regarding payment of membership fee and submission of forms.

PAJ 2016

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Is DAR Secretary Mariano undermining Duterte?

BY DR. DANTE A. ANG
CHAIRMAN EMERITUS,
THE MANILA TIMES

THE HACIENDA Luisita Farmer-Worker-Beneficiaries (FWBs) are getting restless. They face an uncertain future. Dark clouds hang over their heads.

Despite the clear language of the three Supreme Court decisions in as many petitions sustaining the 1996 Conversion Order covering 500 hectares, DAR officials—past and present—were stricken by paralysis. They have yet to flesh out the order in a meaningful fashion four years and a half after the landmark SC decision.

In 2012, the SC affirmed its two previous rulings that upheld the conversion of the 500 hectares from agricultural to industrial classification.

It also directed the Cojuangcos to pay the FWBs the more than P 1.3 billion from the proceeds of the sale of the 500 and 80.1 hectares to Luisita

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■ UNDERMINING FROM A1

Is DAR Secretary Mariano undermining Duterte?

Realty, Inc., Luisita Industrial Park Corp. and Bases Conversion Development Authority respectively. The 80.1 hectares were used by the government for the construction of the Subic-Clark-Tarlac Expressway complex.

The FWBs were perplexed. They couldn't understand why DAR would accommodate a rebashed petition to revoke its 1996 Conversion Order four years and a half after the Supreme Court had ruled with finality sustaining the Conversion Order.

The "dormant" petition was suddenly resurrected following the appointment of former Anakpawis party-list representative Rafael Mariano as DAR head honcho.

... And that's when the tale of the woes of the FWBs began.

In the beginning, they were confident that Mariano would uphold the Supreme Court ruling by dismissing the recycled petition. After all, how could a mere petition touching on the same subject by the same petitioners and filed with the DAR shortly after the SC ruled with finality in 2012 supplant the High Court's authority?

Instead of dismissing the petition outright, Mariano breathed life into it by conducting a physical inspection of the 500 hectares subject of the petition and held a clarificatory hearing on July 22, 2016 at the DAR office in Quezon City.

Any lawyer worth his salt would tell you that petitions similar to what Ambala, the Leftist organization, did should have been dismissed outright.

Honest ideologue

To be fair, Mariano is an honorable man. He is honest and uncompromising. He is an ideologue. For good or ill, he could be stubborn. But he should try to understand that he is DAR secretary for all, not

just of the Left, from whose ranks he came, and his decisions impact the lives of the Filipinos especially the poor.

He is no stranger to the plight of the Hacienda Luisita farmers. He was with them in their rallies and demonstrations against the oppression of the rich and the powerful. He lined the picket lines with them, braved the water cannons, tear gas and the police truncheons every time the authorities would disperse their demonstrations. Many of them were wounded. Many were fatally shot dead by the police. Still, numerous others were made to disappear in the heat of the night, picked up by armed men from the comforts of their homes on suspicion of membership in the NPA, never to be heard of or seen again.

The Hacienda Luisita farmers suffered untold miseries under the Cojuangcos. Mariano knows only too well that under the so-called "Stock Distribution Option" or SDO program that became a law under the presidency of Cory Aquino, each family received miserable yearly dividends of P300 to P1,000 to P1,500; not even enough to feed your pet dog.

Miserable dividends

It was public knowledge that the SDO was introduced by the Cory government and imposed on the Hacienda Luisita tenant-farmers to skirt the Comprehensive Agrarian Reform Program (CARP) law that calls for the distribution of the hacienda to its tenant-farmers.

Surely, there will be grave socio-economic-political implications if and when DAR revokes the Conversion Order that was approved in 1996 by then DAR secretary Miriam Defensor Santiago, considering that the SC had sustained the conversion thrice, the latest of

which was in 2012.

Will Mariano allow the biases of the Left and his own to prevail over reason? Would he gamble his political capital by siding with his peers from the Left by revoking the Conversion Order, which was upheld by the Supreme Court three times in as many petitions? Is he prepared to lose the support of the majority of the farmers who will lose the most if and when the DAR supplants its own over the SC decision?

Narrative is a lie

Mariano should also realize that if and when he revokes the Conversion Order, he may be undermining President Rody Duterte's support from the *masa*. President Duterte won a landslide victory supported by the poor on the issue of social justice. They look up to him for deliverance.

How do you think these farmers would think and feel if by virtue of a recycled petition, the Secretary would revoke the Conversion Order and supplant his own over the decision of the Supreme Court?

The Secretary is well aware of the paucity of the Left's narrative in trying to win over the majority of the Hacienda Luisita farmers. They peddle the lie that the 500 hectares will be distributed to them once the Conversion Order is revoked, and that they can still collect the P1.3 billion the Cojuangcos owe them from the proceeds of the sales of the 500 hectares.

Mariano is no moron. He knows only too well that the CARP expired on June 30, 2014 so that all lands not previously covered can no longer be included in the coverage. That means the 500 hectares that were excluded from CARP coverage in 1996 are not and can no longer be distributed among FWBs.

In similar fashion, the P1.3 billion sales proceeds cannot be paid

to the farmers assuming that the Conversion Order can be revoked by the DAR, because the money came from the sale of the 500 hectares.

Mariano's ambivalent demeanor over the enforcement of the Supreme Court order was due in large measure to his deep association with his main party, Bayan, which is a political front of the NDF/CPP/NPA.

It is highly likely that he doesn't want to risk alienation from his party, or that his hidden agenda is to rebuff the SC ruling in furtherance of his party's cause. He can do so only at his own and his party's peril.

Farmers now own land

The Hacienda Luisita farmers are clamoring for a better life. Their dreams of owning a piece of their land has been partially realized when the Corona-led Supreme Court in its 2012 decision affirmed with finality the distribution of the land to the FWBs. Each family now farms more than 6,000 square meters.

They are still hopeful that the DAR will finally bring closure to the Conversion Order issue so that full industrialization can proceed in earnest. They believe that agriculture and industry can prosper together, side by side each other. They believe too that the 500 hectares, once fully developed into an industrial estate, can generate an enormous number of jobs not only for their children but also for others.

But unless Secretary Rafael Mariano embraces the truism that the Supreme Court is the supreme arbiter of the land and what it says is law unless it says otherwise, and unless he submits to the authority of the Court, the hopes and dreams of the Hacienda Luisita farmers for a better life will soon be dashed.