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Kempson

DENR

IN THE NEWS

Going green: In defense of our island world

BY YEN MAKABENTA
Columnist

"Do you know the difference between a terrorist and an environmentalist? It is easier to reason with the terrorist."

Leila L. Kysar, Newsweek essay, 1990

First Read

I THOUGHT of the line from Leila Kysar as I read the ongoing battle between Environment Secretary Gina Lopez and scores of mining companies, whom she has accused of having done irreparable damage to the Philippine environment and whom she would probably prefer to

put out of business.

Ms Kysar is the business manager of a tree-farm management enterprise in the state of Washington in the United States. She submitted her essay to the "My Turn" column in Newsweek.

This week, Secretary Lopez is again in
➤MakabentaA4

■ MAKABENTA FROM A1

Going green: In defense of our island

newspaper front pages and the nightly news on TV. Last Thursday, Lopez ordered the closure of seven mines. The Department of Environment and Natural Resources (DENR) reached the decision following the completion of its audit of mining companies for their compliance with safety standards. Of the 41 mines audited, only 13 passed, while 23 are now slated for closure and five for suspension.

Mining industry whine in protest

Mining companies, led by the Chamber of Mines and political leaders in mined provinces are whining in protest against the secretary. They cite the thousands of jobs that would be lost if the affected mines are closed. They recite no end to the several billions in revenue that the mines contribute to the economy.

They are demanding that the DENR audit be released to the public.

The economic bite is hefty enough to make Finance Secretary Carlos Dominguez take careful notice and order a study of the real impact on the economy.

The politicians are adept in milking the issue of lost jobs in criticizing Lopez and her department. They have gotten precious media space for their lament for their constituents who will be losing jobs.

Can green industry create more jobs than mining?

Feisty from her first day on the



OBSERVER
YEN
MAKABENTA

job, Lopez has been quick to respond to the jobs lament. She has answered saying that green industries are better at creating jobs than mining.

She challenged mining companies that she plans to close or suspend to give her at least 18 months to develop areas they previously occupied into ecological zones that "can create more jobs."

She declared: "Give me a year and a half, maximum two years. They've been there for 77 years. A green economy can create more jobs than mining could ever (create) in [the] Dinagat Islands."

Lopez said she has learned of 185 possible ecotourism areas in the Dinagat Islands, which could be developed in place of mines and create enterprises for local residents and communities.

Elaborating, she said, "They (the residents) will have more jobs than they could ever imagine and their economy will not be dependent on outside forces and influences. It will be their money and their resources."

"Let them live in the beauty of their place," she concluded, noting that mining has not helped alleviate poverty in the area.

Lopez recognizes that some

people will be affected by the closing of the mines, but she maintained that the DENR will provide alternative jobs for those who will be affected.

"I admit that there are people who benefit from the mining kasi may trabaho. But the number of farmers, fishermen and communities and children that suffer because of operations is much, much more so we must make our choice."

The secretary also disclosed that consultations and planning will be conducted with affected mining employees from February 16 to 18 to discuss alternative jobs. She said the DENR will announce more "policies" on February 14.

An appealing cause

Gina Lopez talks a good game; she is not being buried in an avalanche of PR stuff from the mining industry and the politicians.

The environment is a tremendous appealing cause. It is a natural advocacy for Filipinos because of our beautiful island world.

In contrast, mining sometimes looks like an industry that is no more respectable than illegal drugs. If you've seen what mining did to a place like Marinduque, you cannot but agree with Gina's revulsion with mining. You wonder why Congress passed the Mining Act.

And I wonder what will happen when Gina shifts her gaze from Dinagat to all the wastelands that mining has done to

our nature

From yell

Green industry no panacea for the displacement that will occur when mining operations are closed down. The jury is still out on the capacity of the green industries to create jobs and generate growth. Barack Obama got himself burned when he allocated billions of American taxpayer dollars to develop renewable energy projects, and wound up with nothing to show.

Even so, there is a movement towards "Green Industry," a term which recognizes that in a world of increasing resource scarcity, climate change, pollution, and depletion of natural capital, economic growth must rely on clean and efficient production processes.

Having been born and raised in an island province, with the sea all around us (to quote Rachel Carson), I was born with an instinctive reverence for nature; and I have a natural sympathy for the cause of environmentalism championed by Gina Lopez. I think she is a superb choice of President Duterte for the DENR portfolio.

Gina is certainly more worthy and reasonable than the chiefs of Abu Sayyaf, Maute, and terrorist bands.

I reiterate my proposal early in DU30's term. He should adopt the color green as the color of his presidency. Then can we bury and forget the color yellow.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



EAGLE
EYES
TONY
LA VINA

Lopez is right about mining

FIVE years ago, in an Eagle Eyes column, I wrote that we are a country rich in mineral resources. But our islands also are also full of people, as well as rich in other living or non-living resources that sustain economic activities such as farming, eco-tourism, and fishing. Mining operations necessarily involve the

alteration of the land or seabed, such that people who use the land or sea for settlement and/or livelihood are likely to be displaced by mining operations. The lands where mineral resources are located may also have cultural or ecological values not easily measured in monetary terms. The benefits derived from mining must therefore balance its costs on people and the environment. Compensation for losses must be provided on top of the rightful share of the country and local people of the income from mineral wealth.

The impact of mining operations in the Philippines is magnified because their scale is large compared to the total area and population affected (often in small islands, with many communities living in the area intended for mining, with high risk of natural disasters). This is in contrast to the impact of mining operations in continental

settings (e.g., Australia, Canada, the United States) where the size of mining operations is small compared to the vastness of the continent, with a sparse population and less diverse natural ecosystems.

Mining operations are either large-scale or small-scale. Unfortunately, the policy criteria for categorizing small- versus large-scale mining do not always match the criteria for determining the scale of environmental impacts or economic benefits. But for both types of mining, these questions must be addressed: (a) Should mining prevail over current land uses? Are the benefits from mining sufficient and fairly distributed? Are the social and environmental costs fully considered and compensated? Are the risks of adverse impact reduced to a mini-

mum and socially acceptable to those who bear them? When local stakeholders decide that the risks are unacceptable, can the national government override that decision based on broader criteria?

In 2012, I also asked these fundamental questions that are

Turn to A5

Lopez...

From A4

still relevant today: Who has the right to decide? How are decisions made, and on what basis? Unfortunately, the dynamics of "who decides" keep changing as policies change. When decisions and decision-making are inconsistent or unstable because of the lack of empirical bases, stakeholders tend to appeal to the highest power that can enforce a decision in their favor. This opens up venues for arbitrary decision-making based on factors other than facts. The net effect is the absence of stability and consistency in decision-making. Conflicts persist. Where there is convergence of mineral resources, people, and richness of biological and natural life, complicated further by social inequity and bad governance, you have understandably an explosive situation.

Five years later from when I wrote the column I mention here, which was based on a comprehensive legal and policy review conducted by a multi-disciplinary team (lawyers, economists, and environmental experts) of the Ateneo School of Government, this is the state and challenge of mining in the Philippines. Responsible mining is possible but it can only happen with the right enabling

conditions. Good governance is key, transparent and fair revenue sharing is essential, and strict compliance with environmental and other laws must be absolute.

The imperatives of responsible mining is why Environment and Natural Resources Secretary Gina Lopez is right in closing down this week 21 operating mines and suspending six others. These closure and suspension decisions were done after an industry-wide environmental audit that started immediately after the inauguration of the Duterte administration and the appointment of Secretary Lopez. The mines closed were in watershed areas while those suspended were found to have violated environmental rules and regulations. Above all, no-go areas like watersheds must be completely off-limits to mining, which unfortunately is a rule that has been frequently disregarded.

President Duterte says it very well, reiterating his support of Secretary Lopez as reported by GMA 7: "You know, I support her. And there was never a time that I called her to slow down a little bit, because ... on one hand is the strict implementation of the mining laws. She's so passionate about, not about the mining laws but about the little men on the land tilling."

The President also pointed out

that Secretary Lopez was just being pro-people and pro-poor policies. His instructions to her when she was appointed, "You can have your way, just be fair and make it legal."

The mining companies closed and suspended have of course objected to the decisions of Secretary Lopez, invoking lack of due process. As my administrative law students would know, the essence of administrative due process is notice and hearing. Although I do not know the details of each case, from what I have observed based on news reports, that basic requirement seems to have been followed. I do agree with the industry that the audit findings must be fully disclosed and the additional processes the DENR followed to arrive at a decision must likewise be explained to the public. Secretary Lopez is of course right that she is the one that must make the decision here; as long as there is substantial evidence for that decision, even if the recommendations of the audit may have been different, it is the Secretary's decisions that should prevail.

The economic consequences of the closure and suspension decisions—to the companies, workers, local government revenues, and our GNP—have also been highlighted by critics of Secretary Lopez. This has been echoed by Finance Sec-

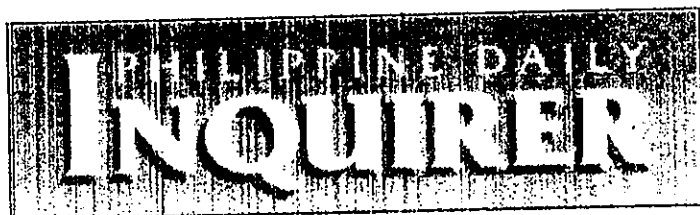
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Responsible mining requires us to be just and smart. That in my view is what Secretary Lopez is doing.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Lopez: Mine firms' closure not political

By RHODINA VILLANUEVA

Environment Secretary Gina Lopez yesterday said the mining closure order she issued to 23 mining firms has nothing to do with politics.

"I don't do things because of politics. I don't do things because I'll get confirmed. It's always for the common good (of the people) that is on my mind," Lopez said.

She added she is not against mining but just wants people not to suffer.

She denied that due process was not followed when she issued an order regarding the closure of the mining companies for committing environmental violations.

Lopez had said earlier they came out with show cause orders for the mining firms.

"They were given a chance to explain and conduct remediation measures. I even flew in the subject areas but they failed."

She stressed that they are working with the thrust of social justice in mind.

"We are not concerned with these business interests prompting extractive activities thus, affecting our water supply. Water is life," Lopez said, referring to those doing activities near or along the watershed.

Last Thursday, the Department of Environment and Natural Resources (DENR) announced the closure of 23 mining operations in several areas in the country.

The DENR chief said the firms could still appeal the decision before the Office of the President.

"The closure becomes final when the President says it is," she said.

The Manila Times

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STRATEGIC COMMUNICATION AND INITIATIVES SEP

Provide jobs to mining workers – DENR

THE Department of Environment and Natural Resources should provide jobs for displaced workers resulting from the DENR's closure of 21 mining firms on February 3.

Rep. Arlene Bag-ao of Dinagat Islands was referring to 21 mining companies affected by the purge: Benguet Corp. Nickel Mines Inc.; Eramen Minerals Inc.; Zambales Diversified Metals Corp.; LNL Archipelago Minerals Inc.; Mt. Sinai Mining Exploration and Development Corp.; Emir Minerals Corp.; Techiron Minerals Resources Inc.; AAMPFIL Natural Resources Exploration; Kromico Inc.;

SinoSteel Philippines H.Y. Mining Corp.; Oriental Synergy Mining Corp.; Welled Mining Corp.; Libjo Mining Corp.; Oriental Vision Mining Philippines Corp.; ADNAMA Mining Resources Corp.; Claver Mineral Development Corp.; Platinum Development Corp.; CTP Construction and Mining Corp.; Carrascal Nickel Corp.; Marcventures Mining and Development Corp.; and Hinatuan Mining Corp.

"It is important to ensure that we protect our environment, especially the watershed, and that members of the community are given opportunities to prosper. With this closure, we also have to actively make

the DENR accountable in their policy of providing alternative sources of livelihood for our people so they won't be deprived of their chance to improve the quality of life of their families," Bag-ao said.

She called on the mining companies who hurdled the DENR's environmental standards to keep their business not only compliant with DENR policies and existing laws but also strive to be better than compliant.

"It is just as important to revisit our mining laws so that mining companies will toe the line and care for the environment and the communities," Bag-ao added. **LLANESCA T. PANTI**



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Kneejerk decisions

Before Gina Lopez received her appointment from President Duterte to head the Department of Environment and Natural Resources, we had an opportunity to talk about one of her passions – perhaps, even her biggest – in life: the environment.

Aside from the nature projects of Bantay Kalikasan, an advocacy group that she formed, the mining industry was one of our most discussed topics. In my column, I would often talk about responsible sustainability of the mining industry, something she did not wholly agree to.

Still, she would intermittently send me information materials supporting her views, and I appreciated the openness that she continued to maintain despite our differences of views.

I had expected this from her when she was hand-picked to head one of the most sensitive government posts in the midst of many apprehensions that colleagues in the business sector, including any industry dealing with natural resources, would express.

But I guess, being on the other side of the fence, changes your perspective – and decision-making process. Therefore, it was a surprise when I heard about her announced complete closure of 21 mines operating in the country, roughly half of the industry.

Perhaps, I was not really too surprised with what Gina, the staunch environmentalist, did being the new DENR boss. She had been like a tornado during the last six months, personally visiting mines and other business operations that were suspected of polluting and disrespecting the environment.

Big news

Secretary Lopez has indeed made big news globally, especially since the mine closure order has affected

half of the country's nickel output and has adversely affected about eight percent of the world's nickel supply, a mineral integral to the stainless steel industry.

The world's mining industry is now experiencing one of the biggest increases in nickel future prices. On the London Metal Exchange, deliveries three months from now rose as much as \$250 to \$10,500 per ton after the closure orders came through.

Surprise and disbelief

Locally, the surprise spawned by closure orders was eclipsed by the disbelief in the manner by which the decision had been made. Secretary Lopez said she had personally visited the mines that were found to have been operating in watersheds.

But when she was announcing the names of the mines to be closed, they came in spurts, like kneejerk impulsive decisions: initially naming 14 mines, adding one more as the briefing progressed, expanding the list to 21 towards the end, and the "final" list released in the evening.

The reasons for the closures were varied, and very much subject to debate. The operations of mines in watershed areas needs to be proven to be adversely affecting the environment, yet many of the other mines that were "guilty" of this were not given that chance.

Unverified**and insufficient basis**

Other "lesser" violations cited – including insufficient or inadequate rehabilitation of mine areas, absence of tree-cutting permits, and the construction of alternate haul roads – are deemed as insufficient basis for the harsh penalty of a complete closure.

Remedial action was supposedly recommended for the above "lesser" sins by the review team formed to conduct the audits, but this could not be verified since the findings that formed the basis for the DENR Secretary's decision has not been made public.

In fact, mining industry officials are accusing the DENR Secretary of excluding the

audit team members from actually participating in the press conference that the DENR organized where the announcement to close 23 mines and suspend five others were made.

Dr. Caloy Arcilla from the UP Institute of Geological Sciences pointed out that

the technical audit team (composed of members of the Bureau of Mines and Geosciences) has the role of giving recommendations that would help sustain the industry and make it a responsible contributor to the country's economy.

This is the whole point in why the country has been encouraging investments in the mining industry, and why we have several institutions in the private and public sector that have mineral mining as its field of endeavor.

Downgraded significance and changing policies

But this national position seems about to change, or at least until 2022 when the current anti-mining position of the government will be strongly supported by the popular President Duterte. There were not a few warnings of things to come.

Late last year, the National Economic Development Authority had declared that mining and quarrying contributed less than a percent of the country's gross domestic product, which indicates the national productivity level, from 2000 to 2015.

Also deemed not too significant were the industry's impact to total exports (5.6 percent) and employment (only 236,400 jobs). This "small contribution" was juxtaposed against the reported disadvantages: land use conflicts, environmental damage, and absence of social acceptability.

Even the President has been pooh-poohing the importance of the mining industry for the Philippines, and the mining industry should not have been surprised if the President would not entertain any appeals by the closed

companies.

Of course, the government should be prepared to shift the battleground to our court system, maybe even on the international level. While this is deemed as a last-resort recourse by the mining firms that had been closed, renege on contracts signed by the previous administration on behalf of the Philippine government send very big bad signals to all businesses currently operating in the country and to potential investors.

Unplanned consequences

For an industry that employs hundreds of thousands, even if comparatively smaller in number than most operating industries, real lives are still at stake. Will the Secretary truly be able to immediately provide jobs to those laid-off within the next few weeks?

We may have mitigated pollution or saved some trees from being cut down in some locations, but we now have a serious problem about preventing 200,000-plus families dependent on the mining industry from going hungry. Was the impact on affected people's lives fully considered and planned for?

No doubt about it, the manner by which the industry has just been treated could have been better planned, and not marked by seemingly kneejerk decisions. Anyone in government who functions without thoroughly considering the ramification of its decisions does not deserve to serve its citizens.

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We are actively using two social networking websites to reach out more often and even interact with and engage our readers, friends and colleagues in the various areas of interest that I tackle in my column. Please like us at www.facebook.com and follow us at www.twitter.com/ReyGamboa.

Should you wish to share any insights, write me at Link Edge, 25th Floor, 139 Corporate Center, Valero Street, Salcedo Village, 1227 Makati City. Or e-mail me at reydgamboa@yahoo.com. For a compilation of previous articles, visit www.BizlinksPhilippines.net.

BIZ LINKS



REY GAMBOA

Trump advised to do a Duterte

Some White House advisers of President Donald Trump want the controversial US chief executive to "do a Duterte" in dealing with terrorists and drug dealers and bringing down the crime rate in America.

I got this information from an American friend who has access to the White House.

In a phone conversation I had with him last week, my friend said many of Trump's close advisers admire Mr. Duterte's way of dealing with criminals and drug dealers.

"Knowing Trump, I'm sure he will follow the advice of his advisers," my American friend who is from California said.

The advisers of the new but controversial US president know that the peace and order situation in the country has considerably improved since President Digong took over, according to my friend.

A frequent visitor to Manila, my friend had predicted that if Trump got elected to the White House, he and President



ON TARGET

RAMON TULFO

Digong would become good friends.

"Both are straight talkers and doers, Mon," my friend said.

My friend informed me Trump had invited President Digong to his inauguration and even asked me to accompany our Chief Executive because he would give me a tour of the White House.

(Mano Digong didn't accept the invitation, saying he didn't want to set foot in the United States.)

There goes Philippine Na-

tional Police Director General Ronald "Bato" dela Rosa, with his clownish antics again!

The PNP chief berated in front of TV cameras Pampanga policemen for abducting and extorting money from some Koreans in Angeles City months ago.

To top it off, Bato ordered the errant cops to do push-ups as punishment.

The policemen's shenanigans surfaced after the kidnapping of Korean businessman Jee Ick-joo by antinarcotics cops who killed him inside Camp Crame in October.

Giving policemen who commit heinous crimes light punishment is like encouraging them to carry on.

Bato might as well have whispered to the errant cops: "Gawin ninyo uli, mga bata (Do it again, boys)."

Bato was playing to the media to boost his reputation as a funnyman, the first PNP chief in history to consider the post a circus stunt instead of a serious job.

It's surprising why Bato still remains at his post despite all his boo-boos.

Environment Secretary Gina Lopez's order to close down 23 mines should send a strong message to mining companies that the present dispensation won't tolerate the destruction of the environment over economic gains for the country.

Lopez, a longtime environmentalist, ordered the closure of the mines for operating in watersheds.

"You cannot have any kind of mining operations in a watershed. Water is life," she said.

Her appointment as environment chief was among the President's wisest decisions.

Unlike her predecessors, Lopez can never be bribed by big business.

Although she belongs to the wealthy Lopez family which owns ABS-CBN, Gina doesn't care about money, being a former Buddhist nun.

Years ago, she panhandled in India for her faith. INQ

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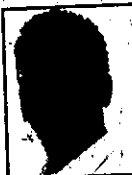
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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DENR does 'tokhang'



LOWDOWN

JOJO A.
ROBLES

YOU could call it the Department of Environment and Natural Resources' version of "tokhang," the controversial police campaign to visit suspected drug users in order to convince them to mend their ways. Except that the police appeared to have a real basis for identifying those involved in the drug trade, while DENR doesn't even want to disclose how it went after the mining companies that it shut down last week.

Let's make this plain at the start: If the mining companies ordered shuttered by Environment and Natural Resources Secretary Regina Lopez violated the law, then by all means, they should be shut down.

But Lopez, who ordered the closure of 23 mining sites across the country and the suspension of five others, also needs, at the very least, to declare the

specific violations that precipitated her action. Sadly, Lopez refuses to release the results of the purported seven-month audit that she conducted on the mining industry, on which the closures and suspensions are reportedly based.

Because of the lack of disclosure, Lopez cannot even say how 12 other mining concerns that were also audited by her department's Mines and Geosciences Bureau passed the audit. And if Lopez really intends to be fair to the two million or so Filipinos dependent on mining for their livelihood, according to the Chamber of Mines of the Philippines, she will reveal the results of the MGB evaluation.

But how can Lopez be expected, at this late date, to be transparent about the audit when she did not even make the officials of the MGB attend the press conference she called last Feb. 2, during which she announced the closures and suspensions? And what is the real role of a former undersecretary of DENR who used to head up MGB in the previous administration, but who

was removed by President Rodrigo Duterte—only to find his way back as a "special consultant" of Lopez, who put him in charge of the mining audit?

According to Surigao del Norte Rep. Robert Ace Barbers,

"I don't know if Duterte appointed Lopez to be DENR secretary or if he made her queen over all she surveys."

whose province has been one of the hardest-hit by the Lopez closure orders, former MGB head and Undersecretary Leo Jasareno, who is now the secretary's foremost adviser on min-

ing, should be instead haled to court for granting the same mining permits (as MGB head) that he advised Lopez to close. "How can Jasareno advise Lopez on mining, in the first place, when he was the one who gave these companies their permits?" Barbers asked.

But don't take my word for it. Here's Lopez herself, telling journalists her reason for not disclosing the audit results of her very own "tokhang."

"I don't have to have you privy to the processes on which I make my decisions," Lopez said. "What I'm sharing with you are the principles on which I stand by, and I truly hope you share the same principles because you're Filipino. I'm not going to show you...because I don't want anything complicated. Just leave it already, I've made my decision and accept it. Don't try to make things complicated."

I don't know if Duterte appointed Lopez to be DENR secretary or if he made her queen over all she surveys. At the very least, Lopez can be accused of trying too hard to become the

"Punisher" of the mining industry—even if the punishments she metes out should never, ever be questioned.

Despite Lopez's faux-regal position on the closures, not all of the Duterte administration is backing her up. The silence of Duterte himself on Lopez's precipitate action is also telling; Duterte is known to declare his displeasure about something without ever feeling the need for a Cabinet member to do the job for him.

What I do know is that Finance Secretary Carlos Dominguez III, one of the most senior Cabinet members and a trusted Duterte adviser, has expressed concern over the adverse impact of the closures in three areas. The closures and suspensions, Dominguez said, will cause the loss of many thousands of jobs at the mining concerns, wreak havoc on the fiscal conditions of local governments that rely heavily on the taxes and fees paid by the mining companies, and even put a damper on the national

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economy, particularly the country's gross domestic product.

In exports of nickel (a raw material used in the production of steel) alone, the Philippines is ranked as the world's number-one supplier. In 2015, the Philippines produced about 24 percent of the nickel consumed worldwide, according to the Morgan Stanley investment house.

Data released this week by the U.S. Geological Survey placed overall Philippine nickel production for 2016 at 530,000 tons, or 21 percent of total global output. And the mines that Lopez ordered closed account for half of the country's nickel ore output.

Again, nobody is asking

Lopez to rescind her closure and suspension orders. She or has to explain the basis for her decision.

If she can produce the results of her audit and is able to defend them, then she will silence her critics. (She need not worry about how complicated they are if they make sense and are based on real evidence, they will be upheld.)

But if the Duterte administration can suspend "tokhang" the President's centerpiece campaign, because of alleged abuses, it should also revisit Lopez's extrajudicial killing of an environmental industry. And it is Lopez's responsibility to disclose the results of her audit and her basis for the closures and suspensions.

Actual lives and livelihoods to say nothing of billions in actual investments—depend on

BusinessMirror

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Philex Mining managers urged to practice safety 'at all times'

BY MAU VICTA
Correspondent

TUBA, Benguet—Saying that a leader always endorses safety measures, Philex Mining Corp. CEO and President Eulalio Austin Jr. challenged the company's managers and supervisors to "reinvent the wheel" in thinking and defining strategies toward attaining the goal of zero fatality in the workplace, while achieving improved productivity.

"Safety is the advocacy of a leader," he said on Tuesday at a company's safety summit held at the Smith Hall of its gold-and-copper operations in this town's Sitio Padcal, Barangay Camp 3. "In attaining ambitions, we must not give up. Start rethinking and redefining our strategies, how to use our data to hack our culture of responsibility. We need to reinvent the wheel."

Austin was speaking to Philex Mining's 93 managers and supervisors—assigned in Padcal and at the head office in Metro Manila's Mandaluyong City—whom he challenged to question the status quo, as "something that runs is already obsolete," and they should stand out with convictions and take part in "participative discussions".

Dubbed 2017 First Safety Summit Program, the January 31 event's guest speaker was Carla Calimbas, VP and head of corporate health, safety and security at Holcim Philippines Inc., who reminded her audience "compliance to safety is a product of collective mindfulness," that it means everybody caring for everybody's well-being in the workplace.

"Philex is blessed, because its top officials have embraced the implementation of safety measures," she said. Taking note of the

event's theme—"Driving Safety Compliance"—Calimbas added: "All employees must abide by this, and leaders must have the habit of giving importance to safety. Safety is compliance reinforced with care."

Crispin Mallare Jr., a planner at the Mill Division, invoked a sense of obligation toward attaining safety an individual puts upon himself, over and above any regulations set in a given environment. "We cannot regulate personal responsibility and pride. That is something that has to come from within each individual."

He said this kind of attitude—coupled with being aggressive and having the ability to learn fast on the job and from others, as well as sharing one's knowledge with coworkers—has made working relationships more harmonious in many environments, and has also produced new ideas and improved processes on how to deal with the various tasks at hand.

In his division, for instance, there are group sessions called "Safety Huddle", where a group of six to eight employees convenes regularly, so that its members may share with each other their experiences with regard to safety in their respective jobs. Each group is composed of new and experienced workers, so that the former may learn faster from the latter, and they can all identify any problems that may hinder the fulfillment of a zero-fatality goal.

"We believe that with this initiative, most of the recurring incidences will be limited and, eventually, be totally eliminated from our workplace," Mallare said. "The commitment of each individual is critical to the success of our Safety Huddle, which can be the starting point of devoting ourselves to embracing the habit of safety and excellence."

The safety summit had three main topics, namely, safety training and behavior; effective communication (since many workplace accidents happened over the lack of better communications between and among workers); and the appropriateness of PPE, or personal protective equipment.

"We are here to talk about high-level safety issues and concerns, so please share any brilliant ideas that you may have, and may we all learn from these," Geraldine Ateo-an, Philex Mining division manager for Internal Audit, said at the start of the program.

There were committees that presented their assigned topics through simulated work conditions, after which each group submitted its synthesis of the proposed ideas, a six-month action plan, and a reaffirmation of its commitment toward the goal of zero-fatality.

Manuel Agcaoili, SVP at Philex Mining and resident manager of Padcal, said what has been agreed upon in the summit must be followed up on, stressing there should be "a consistency of our safety standards."

The Manila Times

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STRATEGIC COMMUNICATION AND INITIATIVES SER

Mining disaster

BY BEN KRITZ
Columnist

EVERYONE concerned should have known it was coming, but Department of Environment and Natural Resources (DENR) Secretary Gina Lopez's edict last week ordering the shutdown of 18 mining operations and the suspension of five others seemed to catch the mining industry and the rest of the government by surprise.

►KritzB1

The Chamber of Mines of the Philippines (COMP), which saw several of its members shut down by Lopez' order, reacted instantly and bitterly to the news, saying it would cost the country at least P66 billion, and result in the loss of about 1.2 million jobs. The order was arbitrary and ignored the recommendations from a lengthy audit of the industry and a review from the Mines and Geosciences Bureau (MGB), and completely disregarded due process, the mining group said.

Lopez only fanned the flames of controversy with her explanation, which was not really an explanation at all but an unctuous statement to reporters that she was under no obligation to discuss how she arrived at her decision or provide the presumably conflicting recommendations from the MGB. Why should I, if I disagree with them, she retorted, adding that she was very unhappy with the bureau because it took six months to conduct its review and prepare its conclusions.

Ever since her appointment last year by President Rodrigo Duterte, Lopez has made it clear that mining was her Public Enemy Number One, and that she would put a stop to as many mining operations as she justifiably could. To that end, she launched a stringent environment and regulatory audit of every company in the industry; some operations were deemed to be equal to the standards, and some were not.

To be fair to ardent environmentalist Lopez, there are mining operations that probably should be shut down, and up until last week, many of the larger firms—particularly those who have operations in other countries, and have a bigger public image challenge to manage—were supportive of Lopez in this respect; one bad operator tends to make the entire industry look bad.

Unfortunately, Lopez went too far in the way she handled the shutdown order, and discredited not only herself and her agency, but the entire industrial regulation framework of the Philippines.

First of all, revoking an environmental compliance certificate—which is the specific power the DENR holds to stop any sort of industrial operation—should not be a matter of the subjective personal prerogative of the DENR secretary. If the relevant laws allow that, it is a grave legal shortcoming that Congress must address immediately. If, on the other hand, that is simply Lopez's perception of her powers in spite of the law,

then she needs to either be put in her place by her boss in Malacañang, or removed from the DENR before she is permitted to do any more harm.

And contrary to what Lopez thinks, it certainly is not her prerogative to withhold the findings from the MGB because she disagrees with them, or for any other reason. Those recommendations were of a regulatory nature, involving—for the most part—publicly listed companies that are obliged to publicly disclose even the smallest material change to their businesses. It is possible that Lopez, by withholding that information, is actually forcing companies into violating securities rules, which would be something that most judges would likely find objectionable, if one or more of the affected firms pursued a legal remedy. Beyond that, Lopez's position is a slap in the face of the public, particularly under the current administration, which is making

some small but still significant advances toward greater transparency in government policy and action. While as the head of the MGB's parent agency Lopez may not be compelled to accept its recommendations, the public coffers still pay the salaries of the people who made them, and the public is entitled to know how its money has been spent.

If Lopez's decision is allowed to stand as is—without objective justification and a clear connection to a uniform set of rules or standards—it will send a chilling message to any large-scale investor that process reliability is a concept that doesn't exist here. Lopez might also consider that expressing her distaste for mining in such an opaque way will not impress the sort of investors she presumably would want in their place—those in the highly-regulated renewable energy sector—who need to be able to count on consistent policy and regulation for a long period of time in order to make their investments viable.

A change in the perception that caprice rules the Philippines is a part of the change that was supposed to be coming with the election of Duterte; it is probably a safe assumption that no one expected it to be a change for the worse.

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Lopez fixed on mine closure

ENVIRONMENT and Natural Resources Secretary Regina Lopez will not reconsider her decision to shut down 23 of the country's 41 mines, saying the Southern Leyte national is unfit for mining.

Lopez last week ordered the mines permanently shut and suspended five others, shocking mineral producers that have vowed to overturn a ruling that they say will affect 1.2 million people.

The 63-year-old minister defended her decision, convinced of mining's destructive nature.

Every time you put up an open-pit and every time you put up a tailing pond, you're putting our country at risk.

Lopez told reporters in an interview that she was not open to compromise.

It's not fair. I'll be a place in the Philippines is not mining. Because

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Some 14 mines were ordered closed in Surigao, half of which are in Dinagat Island. Photo shows ore being loaded in ships off Surigao.

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Mining woes far from over; Lopez asked on audit basis

By J. J. J. J.

The woes at mining sector is far from over as the number of organizations and stakeholders asking Environment Secretary Gina Lopez to reveal the exact and more detailed audit reports started to pile up days after she decided to close down 23 metallic mines and suspends five more.

This, while the country's biggest miners began appealing directly to President Rodrigo Duterte to review Lopez's action because it is not just "unfair" but also "illegal."

The head of the country's national geological institution is now calling on the Department of Environment and Natural Resources (DENR) to make public the basis for her directive on the closure of 23 mining operations and the suspension of five others.

According to him, this will enable future engineers and geologists to learn from Lopez's decisions and determine how to best enforce responsible mining practices.

Dr. Carlos Arcilla, the director of the University of the Philippines' National Institute of Geological Sciences, said that while he agrees with Lopez that irresponsible mining operations should be shut down, he is puzzled as to why Lopez had not furnished the mining firms copies of the mining audit, which should have been the basis for ordering their closure and suspension.

"We are in agreement that the irresponsible mines should be closed. No argument on that. That is the purpose of the audit - technical people checking whether the mines are fulfilling the obligations under law to protect the environment," Arcilla said.

"We are interested to know what the bases are for closing mines - we have to teach future geologists and engineers the correct and scientific ways to mine, so as not to endanger the environment,"



GINA LOPEZ

added Arcilla.

Arcilla also raised a question as to why the DENR barred technical personnel of the Mines and Geosciences Bureau (MGB), who conducted the mining audit, during the time when the final audit results were announced.

Chamber of Mines of the Philippines, which comprised most of the country's biggest miners, believes the same thing, saying it was apparent there was "widespread chaos" in Lopez' department.

"The basis for the mine closures have not been made public, and they have not been given to the mines that are to be closed," Arcilla said. "This tells me that the main basis for mine closures is emotion, superficial impressions."

Arcilla pointed out that engineers and scientists who have spent years studying mining and other extractive industries should be the ones relied upon in cleaning up the mess caused by irresponsible mining practices.

"Those who claim they are the only people who can clean the environment, and the only people who love the environment and this country, without adequate training are seriously misguided. They are even dangerous if they dictate

policy," Arcilla further said.

Meanwhile, COMP on Monday began appealing directly to Duterte for his intervention against Lopez's decision.

"We respectfully appeal to the administration of President Rodrigo Duterte to thoroughly review the actions of the DENR Secretary-designate relating to the minerals sector, and their serious repercussions to the country as a whole as they are without basis, fairness and legality," Art Disini, chairman of COMP, said.

"She violated due process - which is an inherent part of the rule of law - and did not give proper notice by consistently refusing to release the results of the audit to the affected parties," he added.

According to him, Lopez's actions have finally revealed her true bias, which is to stop all mining in the Philippines.

"Beyond the mining companies, the Secretary-designate's intent to close the mining sector poses a danger to other industries. The logistics companies who provide drilling, construction, hauling and shipping; processing companies; manpower and transportation service providers; even those in the education and health sectors will be seriously impacted by the actions of the Secretary-designate," Disini said.

"Other strategic industries such as energy and petroleum are also being shackled and slowly strangled to death by stopping the issuance and processing or cancelling of existing Environmental Compliance Certificates," he added.

Lopez said in a statement on Sunday her decision was consistent with her "non-negotiable" stance against irresponsible mining.

Unfazed by skepticism over her decision, Lopez said over the weekend that she can prove that "green economy" can provide more jobs than destructive mining.

She even assured alternative livelihood opportunities to affected mine workers and their families.

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#MINDANAO

Coming to terms with mining, Sec. Gina Lopez, dialogue and science

BY JOHN TRIA

LAGUINDINGAN, Misamis Oriental — As the order of Secretary Gina Lopez to stop the operations of 23 operating mines in the Philippines hit the news, renewed interest in the mineral sector has erupted, and questions about the audit report spread.

This industry has a checkered past owing to many factors such as safety issues and stakeholder concerns, often fraught with opposition from environmental NGOs and pressure groups.

In several areas in Mindanao, mining is an industry where thousands of families obtain their income, many of them in illegal mining set-ups that are dangerous and environmentally damaging. These form part of the estimated 1.2 million engaged in mining, which in my opinion given the undocumented illegal mining taking place in many areas.

In these places, going against mining is politically difficult, since even environmentalists fear backlash and are careful not to campaign against the sector, and some progressive groups opting to support what they call "pro-people mining" to improve the welfare of those engaged in the industry — not to suppress it.

That said, we can never turn our back on an old industry that provides us not only income and livelihoods but also the building materials for our homes, from cement (yes, that is made from minerals), to the reinforced bar and galvanized iron sheets. Minerals are abundant due to our volcanic landscape. We can only make sure it is mined or done properly, and that the Filipino people who own these resources get their fair share from using it.

Remember that a country's mineral wealth is the state property and forms part of the national patrimony that can only be utilized by locals,

with the benefits equitably shared and environmental and social safeguards put in place by law, guided by the 1987 Constitution.

The Department of Environment and Natural Resources (DENR) is in charge of minerals development, through the Mines and Geo-Sciences Bureau. It explores the country and identifies areas for obtaining the minerals to encourage investments.

It also has the duty to make sure that mining is properly undertaken by engaging qualified contractors by issuing them mineral contracts or permits, which should be seen no differently from other contracts — the principal in this case is the Philippine government, and the mining company is a mere contractor or partner as the case may be. The 23 companies are government contractors who took up the challenge to develop resources for the government.

These mines that have obtained the several necessary permits and clearances do so after hurdling years of impact assessments, stakeholder surveys and meetings. During operations, they are subjected to regular audits on their safety and environmental standards, and to check whether the minerals taken out are properly valued so that the people, both the immediate neighbors and the rest of the country, obtain their just share.

Now comes the Gina Lopez audit.

Commenced as soon as she took office, she announced the results of the audit allegedly without showing the public the audit report itself. This may unduly rattle the stock prices of the affected companies and prevent dialogue from taking place.

Is this acceptable? Well, any audit especially by government requires transparency to preclude any sense of unfairness or bias. Audits ought to help improve operations, and enhance enforcement of the contracts they entered into with government. Was this audit able to do that? Only a full

reading of its results will tell. Here are other questions:

1. Did the audit cover illegal miners as well? The saying goes that for every legally operating mine there are hundreds of illegal mining activities utilizing unsafe methods and reagents, carelessly pouring them into rivers.

2. Were the technical aspects explained to the public? Was the same public given the opportunity to scrutinize the audit results and process of arriving at the recommendations? We ask these questions because in the press conference she allegedly did not include officials of her own Mines and Geo-Sciences Bureau. They would have helped answer the questions about an industry only faintly understood by the Filipino public. They would have informed a discourse that affects the lives of the thousands in the hinterlands.

As interest in mining has risen following these possible suspensions, these questions need to be asked, and the public, which should benefit from the fruits of this mineral wealth, have a right to know why the DENR Secretary recommended the closure or suspension of these mines and threatened the hundreds of thousands of direct and indirect livelihoods that may be lost.

Thus, it is time that we came to terms with this mining industry many barely understand, and more misunderstand. No longer must we be content with information heavily laced with drama that we consume. The new generation can see right through that, and demands authentic information upon which decisions can be made.

It is time for more science and less politics. For more dialogue and less speeches. Only then can we confront these issues based on facts, rather than avoid or spin them.

For reactions: [facebook.com/johntriapage](https://www.facebook.com/johntriapage)



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LOPEZ

we're an island ecosystem with biodiversity and endemism like no other.

The Philippines is the world's top nickel ore supplier and Lopez has said that closed mines represent about half the country's output.

Three-month nickel on the London Metal Exchange climbed 1.4 percent to \$10,370 a ton on Monday. The metal hit a three-week high of \$10,500 on Thursday when Lopez announced the closures.

A team that reviewed the audit of Philippine mines recommended the suspension of operations and payment of fines for environmental violations, instead of the closures, two people with knowledge of the matter said.

Lopez said she opted to close many of the mines permanently so she can access rehabilitation funds.

If it is closure, I can then heal the land. It is closure because there is no way you can have any

kind of mining in watershed areas," she said.

Lopez launched the environmental audit of the mines in July, initially suspending 10 and saying 20 more were at risk of being halted. She is a long-time environmentalist who took over the department that oversees the mining sector last June when President Rodrigo Duterte came to power.

Duterte, who has said that the Philippines can survive without a mining industry, has thrown his support behind Lopez's decision. She will present it formally at a cabinet meeting on Tuesday.

The minister's decision to close and suspend mines is "illegal and unfair," jeopardizing an industry that has paid a large amount in taxes and fees to the government, the country's mining industry body said earlier on Monday.

Lopez stood by her action. "They're killing our rivers, our streams, they're mining in watersheds. That's against the mining law," she said.

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STRATEGIC COMMUNICATION AND INITIATIVES



By **Ronnel W. Domingo**
and **Dona Z. Pazzibugan**
@Team_Inquirer

Large-scale miners on Monday asked President Duterte to review the orders of Environment Secretary Gina Lopez to close down 23 mines and suspend five others, as she challenged the industry to give her two years to prove that ecotourism was a more viable source of livelihood than mining.

The Chamber of Mines of the Philippines (COMP) said Lopez's moves were hurting people in communities hosting mining projects.

"We respectfully submit that the acts of the DENR (Department of Environment and Natural Resources) secretary-designate on Feb. 2 announcing the suspension or closure of certain mining operations under the guise of 'healing the hurt' were irresponsible, unfair and illegal," COMP said in a statement.

"Heal the hurt" is the title of a video that was shown before and after the DENR press conference last week. The video featured indigenous peoples and residents of mining communities talking against mining.

Fighting mood

The video, accompanied by Michael Jackson's hit song "Heal the World," also showed Lopez in a fighting mood during speeches and riding in helicopters above mining sites.

COMP has also taken to referring to Lopez as secretary-designate. A confirmation hearing on Lopez's appointment is scheduled at the Commission

on Appointments on Tuesday.

A source familiar with Lopez's daily work told the Inquirer that the staunch environmentalist was not getting the support she needed from her colleagues.

But Lopez is unfazed, reiterating in a television interview that she did not ask for the job and that she would not insist on staying if she were asked to leave.

"Under the guise of 'Healing the Hurt,' she is actually creating an even bigger hurt," the chamber said.

COMP said Lopez's orders put at risk about 67,000 jobs and at least 1.2 million people who depend directly on "legitimate, legal, permitted" mining for their livelihood.

These also "put in limbo" a pipeline of mining investments worth \$22 billion or about P1.1 trillion, COMP said.

"The secretary-designate has effectively established a mining moratorium in the Philippines, trampling on the Philippine Mining Act, a law that she had sworn to uphold and implement before

the President of the Philippines," the chamber said.

"Beyond the mining companies, the secretary-designate's intent to close the mining sector poses a danger to other industries," it added.

Awaiting copy of order

Also on Monday, Platinum Group Metals Corp. (PGMC)—which operates one of the 23 mines that Lopez wants shuttered—said it was waiting to receive a copy of the order for closure before it could determine what action to take.

"We can go to court or we can ask the secretary to reconsider," PGMC president Dante R. Bravo said in a briefing. "We can take various actions but that would depend on the order coming from the secretary herself, which we don't have."

Lopez rebutted the mining industry's claim that 1.2 million people would be displaced by the closure of the mines. Citing government studies, she said that since 2014 the mining industry created 235,000 jobs.

Ecotourism alternative

She said residents in mining areas would fare better with ecotourism and agriculture.

"I have areas now that have been converted to a tourism area and it's a (former) mineral area and people are benefiting," Lopez said in a TV interview on Monday.

She said that in a green economy she wanted to promote the people would have jobs, more money and "they'll be happier, healthier and they'll stop fighting against each other."

Lopez noted that only a few were benefiting from mining—the businessmen who are already very rich, some politicians and foreigners.

"But the people who live there, are they benefiting? Around the mining areas there is a lot poverty," she said.

2-year timeline

She asked the mining industry to allow her to do something in the mining areas.

"Give me two years and I'll show you much more than they have ever done in the years they have been there. I am confident (about this)," she said.

She believed that Dinagat and Surigao provinces, where she closed down mines, could develop their ecotourism industry.

Dinagat has 185 proposed ecotourism sites, including the largest bonsai forest in the country, according to the environment secretary.

She also cited the Hinatuan, Surigao del Sur's Enchanted River, famed for its clear bluish water.

"I saw mountains, clean water, beaches and corals in the areas where there are no mining. Why are you killing that for the mining that some businessmen want? It's morally wrong. Dinagat has so much potential and so does Surigao," she said.

"But if you mine it, you're killing it. That's opportunity lost... It's not worth it at all," she said.

Lopez denied that she spared political allies from the mining crackdown.

"There are good mining companies. I do not want to fight the entire industry. But mining where it kills the environment, the country has lost a lot," she said. INQ

**The acts of the DENR
secretary-designate on Feb. 2
announcing the suspension or closure
of certain mining operations under the
guise of 'healing the hurt' were
irresponsible, unfair and illegal**

Chamber of Mines of the Philippines

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Miners formally ask Duterte to trash Lopez's closure orders



BY JONATHAN L. MAYUGA [@jonlmayuga](#)

THE mining industry's big players belonging to the Chamber of Mines of the Philippines (COMP) on Monday asked President Duterte to review the closure and suspension orders issued by Environment Secretary Regina Paz L. Lopez.

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BusinessMirror

Miners

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In a statement, COMP said Lopez's decision to close 23 large-scale operating mines and suspend five others has "serious repercussions" to the country. Lopez earlier announced the closure and suspension of 28 of the 41 large-scale metallic mines for failing environmental standards.

Most of the mines recommended for closure, according to Lopez, caused massive environmental degradation and pollution of rivers and functional watersheds that threaten the country's sustainable supply of freshwater.

Before making her announcement on the

results, Lopez assured the meticulous conduct of the mine audit and that the decision is for the greater good, anchored on social justice, which is the "heart and soul" of the Department of Environment and Natural Resources (DENR) under her watch.

Lopez said the decision is final, and urged those affected to appeal to Duterte for reconsideration.

COMP earlier urged the Mining Industry Coordinating Council (MICC) to look into Lopez's decision.

In its appeal to Duterte, COMP said the suspension and closure of certain mining operations under the guise of

"healing the hurt" were "irresponsible, unfair and illegal".

Lopez's actions, the group said, "have finally revealed her true bias: to stop all mining in the Philippines".

Ironically, COMP said the DENR chief has "trained her guns on legitimate operations, while turning a blind eye to unpermitted, undocumented, nontaxpaying and noncompliant mining operations, which are the real violators of environment".

In ordering the closure and suspension of the operating mines, COMP said Lopez is condemning to poverty more than 1.2 million Filipinos, whose livelihood depend on legitimate, legal, permitted mining, and crippling local government units (LGUs) and communities that benefit from taxes and social-development management programs (SDMPs) of mining companies.

"She is creating an unstable policy environment resulting in threatening the economic growth momentum under the Duterte administration and putting in limbo \$22 billion [P1.1 trillion] worth of investments," COMP said.

According to COMP, Lopez is attacking the only industry in the country that has replanted over 20 million trees nationwide.

The group said Lopez "deceptively" used images of active mining areas as "evidence" that no rehabilitation is happening. It expressed concern that Lopez is slowly killing an industry that has faithfully paid billions in taxes and fees annually to the government.

"She is strangling current operations by the nonissuance of tree-cutting permits, environmental compliance certificates, ore-transport permits, mineral ore-ex-

“ [Lopez's actions] have finally revealed her true bias: to stop all mining in the Philippines.” —COMP

port permits and other DENR-controlled permits, and stopping future projects by withholding and canceling ECCs previously issued and nonprocessing of other required permits," COMP said.

COMP added the DENR chief has effectively established a mining moratorium in the Philippines and trampled on the Philippine Mining Act, a law that she had sworn to uphold and implement.

Also to be affected, according to COMP, are the logistics companies that provide drilling, construction, hauling and shipping; processing companies; manpower and transportation service providers; and even those in the education and health sectors.

Other strategic industries, such as energy and petroleum, "are also being shackled and slowly strangled to death" by stopping the issuance and processing or canceling of existing ECCs.

The COMP explained that Lopez predecessor, former Environment Secretary Ramon J.P. Paje, required the mining companies to subject themselves to yearlong certification process under ISO 14001, which Lopez herself described on July 1, 2016, as "another way of saying responsible mining".

But COMP said Lopez is now using the results of this second audit rather than the results of the ISO standards, "revealing her inherent bias against the industry as a whole".

Carlos Arcilla, director of the University of the Philippines-National Institute of Geological Sciences, urged Lopez to reveal the basis of her decision.

A geology expert, Arcilla said future engineers and geologists should learn from Lopez's decision on how to enforce responsible mining practices.

In a statement, Arcilla said he agrees with Lopez that only responsible miners should be allowed to operate, but added the DENR chief should also reveal the basis of her actions. "We are interested to know what the bases are for closing mines—we have to teach future geologists and engineers the correct and scientific ways to mine, so as not to endanger the environment."

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Miners pin hopes on appeal to Palace

By Janina C. Lim
Reporter

MINERS are banking on a fair hearing when they raise to President Rodrigo R. Duterte their plea against sanctions imposed by the Department of Environment and Natural Resources (DENR) for

alleged violations of conditions of their permits, even as the chief executive last week voiced support for the regulatory ruling.

"He (Mr. Duterte) said he supports it as long as it's fair and legal," Ronald S. Recidoro, Legal and Policy vice-president of the Chamber of Mines of the Philippines (CoMP), said in a telephone interview yesterday.

"What we're saying is that it's both unfair and illegal."

CoMP yesterday separately issued a statement attributed to its chairman, Artemio F. Disini, saying: "To the administration of President Rodrigo R.



Read the summary of DENR's mine audit report by scanning the QR code with your smartphone or by typing the link
<<https://goo.gl/qNkNR8>>

Duterte, we respectfully submit that the acts of the DENR Secretary-designate last Feb. 2 announcing the suspension or closure of certain mining operations under the guise of 'healing the hurt' were irresponsible, unfair and illegal."

The group argued that, in moving to shutter 23 metal mines and suspend five others, Environment Secretary Regina Paz L. Lopez "has effectively established

a mining moratorium in the Philippines, trampling on the Philippine Mining Act... that she had sworn to uphold and implement..." even though 12 of the 41 metal mines in the country passed DENR's audit, which began in July 2016.

Ms. Lopez — who had said affected miners may still appeal DENR's decision to Mr. Duterte himself — was not able to

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Miners,
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respond to a request for comment as of early yesterday evening.

CoMP said that Ms. Lopez "has trained her guns on the legitimate operations, while turning a blind eye to unpermitted, undocumented, non-taxpaying and non-compliant mining operations who are the real violators of the environment."

The report of the technical review committee which the DENR formed in November last year recommended as sanctions suspension of operation, suspension of environmental compliance certificate (ECC), non-issuance of ore transport permit, and/or payment of fines.

"I think... once he (Mr. Duterte) sees *na dinisregard* 'yung review conducted by MGB and that MGB was effectively ignored in the whole process... if he sees *na* the MGB findings say otherwise, I think it will have that weight *kasi inaral talaga nila* (Mines and Geosciences Bureau, which forms part of DENR's technical review committee for the mine audit)..." CoMP's Mr. Recidoro said yesterday.

Mr. Duterte, after DENR released its findings on Feb. 2, voiced support for Ms. Lopez, saying in a speech later that same day: "You know, I support her and there was never a time that I told her to slow down a little bit... today she's insisting on closure of so many and I support her."

Malacañang yesterday side-stepped a question on how it could be objective in hearing miners' plea when Mr. Duterte has already voiced his support for DENR's decision, with Presidential Communications Operations Office Secretary Martin M. Andanar saying via text: "We defer to DENR on your question... *sa kanila mo na kunin yung sagot* (get the

answer from the department).

In its statement yesterday, CoMP again enumerated the economic impact of the impending closure or suspension of more than three-fifths of the metal mines in the country, including 1.2 million workers and their dependents, as well as foregone local tax payments and some \$22 billion worth of investments in the pipeline.

An estimate the department released last weekend showed affected miners — those to be shuttered and those to be suspended — accounted for 40.971% of industry jobs in 2015, as well as 41.425% of taxes collected and 22.463% of investments.

Ms. Lopez has referred to MGB data showing the industry contributed just 0.5% to the country's jobs and 0.6% to gross domestic product in 2016's first three quarters.

Miners have been reeling from unfriendly policies since a moratorium on new permits the past administration of former president Benigno S. C. Aquino III had put in place in 2011.

And the latest industry data continue to bare the sector's woes. MGB reported last Feb. 1 that value of metal mineral production dropped eight percent to P100.56 billion last year from 2015's P109.84 billion, blaming "[p]oor base metal price, a string of mine suspension and... non-operation due to unfavorable weather conditions" for the sector's "lackluster performance."

At the Philippine Stock Exchange, mining and oil continued to reel from the fallout from DENR's action, losing 0.28% — the only one of six sectoral indices to retreat even as the bourse followed Wall Street's rise and joined gains across much of Asia.

In a disclosure on Monday, Marcventures Holdings, Inc. — one of the miners whose projects have been marked for closure — said it "strongly" felt that the DENR declaration was made "arbitrarily and hastily, completely lacking of the due process of law."

"We are confident that Marcventures can overturn the supposed findings considering our prior legal right," the firm said, adding that it intends to proceed with business operations and start mining when the season starts next quarter.

"We hope to receive the notice or order from the DENR so we can present our side and overturn the supposed findings."

Oriental Peninsula Resources Group Inc., told the stock exchange yesterday that the suspension of the ECC of its subsidiary, Citinickel Mines and Development Corp., has "no immediate impact" on the company's operations and financial conditions since its project had already been suspended before the mine audit began.

In a statement, Global Ferronickel Holdings, Inc. said its subsidiary Platinum Group Metals Corp. — one of those ordered to close down — is "not in violation of any laws, rules or regulations, and the allegations against the company have no factual basis."

The aforementioned miners also noted that they have yet to receive a formal order from the DENR regarding the matter.

CoMP had asked Finance Secretary Carlos G. Dominguez III to convene the Mining Industry Coordinating Council, which he co-chairs with Ms. Lopez, to discuss the DENR action, but a check with his office yesterday showed it was still finding out whether the group can have a quorum should it meet this week.

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MGB recommended suspension

THE Mines and Geosciences Bureau recommended the suspension in operations and payment of fines for environmental violations not closure of 21 mines.

A summary of the MGB recommendation secured by Malaya Business Insight detailed the violations of 21 mines. (table on page 4).

Dr. Carlos Arcilla, director of the

University of the Philippines National Institute of Geological Sciences, called on Environment Secretary Regina Lopez to make public the basis for her order to close 23 mines and the suspension of five others.

The Chamber of Mines, meanwhile, as

See MGB> Page A4

MGB

quoted by Reuters said there was "widespread chaos" in Lopez' department following her decision to close some mines, which was not part of the recommendation of the audit team (from MGB).

Arcilla said he agrees with the secretary that irresponsible mining operations should be shut down but that he is puzzled why Lopez had not furnished the mining firms copies of the mining audit, which should have been the basis for ordering their closure and suspension.

"We are interested to know what the bases are for closing mines - we have to teach future geologists and engineers the correct and scientific ways to mine so as not to endanger the environment," Arcilla said in a statement.

"The basis for the mine closures have not been made public and they have not been given to the mines that are to be closed... This tells me that the main basis for mine closures is emotion, superficial impressions," the official added.

He also claims that Lopez' conflict of interest in handling the DENR portfolio is seen due to her inaction involving the oil leak at the West Tower condominium in Makati city that was caused by the First Philippine Industrial Corp. (FPIC), a company owned mostly by the secretary's family.

Arcilla said that Lopez has not done anything to comply with a Supreme Court order directing her department to oversee the full cleanup by the FPIC of the remaining pollutants in the groundwater and soil

that spilled over underneath the West Tower which was the basis of the court's first Writ of Kalikasan.

"...In contrast, she has been very vocal in her desire to close errant mining companies, but she has not shown concern for a definitive case of massive pollution caused by a company which is owned by her family, showing deliberate conflict of interest," Arcilla, who was also hired as head consultant of the Makati City government to investigate the West Tower oil leak added.

The CMP said the decision of Lopez to close over half of the country's mines and suspend others is "illegal and unfair," and jeopardizes an industry that has paid a large amount in taxes and fees to the government.

"She violated due process - which is an inherent part of the rule of law - and did not give proper notice by consistently refusing to release the results of the audit to the affected parties," the CMP said in a statement.

Environment and Natural Resources Secretary Regina Lopez on Thursday ordered the mines shut, saying many were operating in watersheds. The mines to be closed account for half of nickel ore output by the world's top supplier of the metal. Another five mines were suspended.

"She has created an unstable policy environment resulting in the stalling of economic growth momentum under the Duterte Administration," the chamber said, citing the industry's P62.5 billion (\$1.26 billion) worth of investments. (with Reuters)



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



A small-scale miner takes a break from extracting gold in the village of Gumatdang in Itogon, Benguet. More than 60 percent of Gumatdang's residents are engaged in small-scale mining.

ARTEMIO DUMILAO

DENR chief creating bigger problems – mining firms

(Story on B-4)



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

P. 2

Mining firms say Gina Lopez creating bigger problem

By LOUISE MAUREEN SIMEON

Mining stakeholders continue to hit on Environment Secretary Gina Lopez, saying the agency's head is creating an even bigger problem for the industry resulting in the stalling of economic growth momentum under the Duterte administration.

The Department of Environment and Natural Resources has ordered the closure of 23 mining firms and the suspension of five others for breaching environmental standards.

The Chamber of Mines of the Philippines said while Lopez reiterated her purpose to heal the sector, the closure order has grave repercussions on the industry and the country as well.

"This is not the way to 'heal the hurt.' This is not the way to harness the mineral industry's potential as a contributor to the country's progress," COMP chairman Artemio Disini said.

"It is now apparent that within her department, there is widespread chaos. Her actions have finally revealed her true bias which is to stop all mining

in the Philippines," he added.

According to COMP, the closure order will affect more than 1.2 million Filipinos and cripple local government units and communities that benefit from tax payments of mining firms.

"She (Lopez) is creating an unstable policy environment resulting in threatening the economic growth momentum under the Duterte administration and putting in limbo \$22 billion worth of investments," he said.

"Lopez is slowly killing an industry that has paid billions in taxes and fees annually," Disini added.

Disini said the environment chief is strangling current operations by non-issuance of various permits and halting projects by withholding and cancelling previously issued certificates.

"The Secretary-designate has effectively established a mining moratorium in the Philippines, trampling on the Philippine Mining Act, a law that she had sworn to uphold and implement before the President of the Philippines," Disini said.

COMP said Lopez's action is posing danger not just to the mining sector, but also to other industries as well including drilling, construction, hauling and shipping, processing companies, manpower and transportation service providers.

Stakeholders are now appealing to President Duterte to thoroughly review the actions of Lopez in relation to the minerals sector.

"What is ironic is the Secretary-designate has trained her guns on the legitimate operations, while turning a blind eye to unpermitted, undocumented, non-taxpaying and non-compliant mining operations who are the real violators of environment," Disini said.

Lopez, however, said Monday she would not reconsider her decision to shut down 23 of the country's 41 mines, adding the Southeast Asian nation is "unfit for mining."

"If it is closure, I can then heal the land. It is closure because there is no way you can have any kind of mining in watershed areas," Lopez told

Reuters in an interview at her office.

The affected mines account for half of the nickel ore output by the world's top supplier of the metal.

Some industry stakeholders have likewise noted the conflict of interest of Lopez in handling the DENR post, citing the massive oil leak at the West Tower condominium in Makati City that was caused by the Lopez-led First Philippine Industrial Corp.

University of the Philippines-National Institute of Geological Sciences director Carlos Arcilla said Lopez has not done anything to comply with a Supreme Court order directing her agency to oversee the full cleanup by the FPIC of the remaining pollutants in the groundwater and soil that spilled over.

"Secretary Lopez, already six months into her tenure as head of DENR, has not done anything to mitigate, publicize and lessen the suffering caused to the displaced people of West Tower and Bangkal," he said.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DOF studies impact of mine closures

By Ben O. de Vera
@bendeveraINQ

The Department of Finance is taking a closer look at the impact on local jobs as well as revenues by the order of the Department of Environment and Natural Resources

to close down 23 mines nationwide and suspend another five.

In a statement Monday, the DOR said Finance Secretary Carlos G. Dominguez III had ordered treasurers of local government units to prepare their assessment reports as he feared that the

DENR's directive "might imperil the fiscal state of the affected LGUs, given that mining companies account for a hefty part of the tax revenues collected by local governments in municipalities hosting mine sites."

"On the revenue side, our pri-

mary concern is the revenues of the municipalities. That's why we asked the treasurers already to give us a quick-round assessment of how much is going to be lost in revenues," Dominguez said.

Based on preliminary data of the DOF-attached Bureau of Lo-

cal Government Finance, one city and 10 municipalities will be impacted by the closure of 23 mining sites, on top of one city and four municipalities that host suspended mining firms.

As such, the DOF said BLGF executive director Niño Ray-

mond B. Alvina already issued a memorandum "directing city and municipal treasurers in all localities hosting mining projects to submit their complete and updated reports by Friday, Feb. 10." LGU treasurers are supervised by the BLGF. INQ

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DoF orders assessment of revenue impact of mines closure

THE Department of Finance (DoF) has directed local treasurers in areas hosting mining projects to assess the impact of the closure or suspension of 28 mine sites across the country on local government revenues.

Finance Secretary Carlos Dominguez 3rd said in a statement issued on Monday, he issued the directive because alongside the massive loss of jobs and its effect on the national economy, last week's move by the Department of Environment and Natural Resources (DENR) might imperil the fiscal state of the affected local governments, given that mining companies account for a hefty part of the tax revenues collected by local governments in municipalities hosting mine sites.

Earlier, he also told reporters, "On the revenue side, our primary concern is the revenues of the mu-

nicipalities. That's why we asked the treasurers already to give us a quick-round assessment of how much is going to be lost in revenues."

The DoF said preliminary data from its Bureau of Local Government Finance (BLGF) showed that at least 10 municipalities and one city would be affected by the DENR's order to close down 23 mine sites, while one city and four municipalities would be affected by the suspensions.

In an immediate reaction, the Chamber of Mines of the Philippines (COMP) had estimated that almost P70 billion in gross production value and close to P20 billion in taxes would be lost if the DENR decision pushed ahead. About 67,000 jobs are also at risk, it said.

Last year, local governments hosting mining projects received P233.8 million or 40-percent of the P585

million in mining taxes collected from December 2011 to the fourth quarter of 2014.

In response to Dominguez's directive, BLGF Executive Director Niño Alvina said he has issued a memorandum "directing city and municipal treasurers in all localities hosting mining projects to submit their complete and updated reports by Friday, February 10."

Treasurers of local governments are under the supervision of the Do through its BLGF, it noted.

In Department Order 049-2016 issued in September last year, Dominguez instructed local treasurers to include in their quarterly and annual financial reports all environment and natural resources revenues and expenditures, particularly the payments made by the mining and other extractive industries to their respective local governments.

This DO provides for an efficient

mechanism for municipal treasurers in LGUs hosting mine sites to present their respective assessments fast enough given that they have been forwarding their Statements of Receipts and Expenditures electronically since 2011 and are now required to submit them through the web-based Environment and Natural Resources Data Management Tool (ENRDMT).

These assessment reports, Dominguez said, will aid the government in coming up with a comprehensive strategy to address the impact of the DENR move on the employment and fiscal situations in the communities where the concerned mining sites are located.

Dominguez also said he has called for a meeting of the Mining Industry Coordinating Council (MICC), which he co-chairs, to assess the impact of the DENR directive.

"We're just waiting for the response of the other members of the MICC. We want to have it next week as soon as possible," he has said.

MAYVELIN U. CARABALLO

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THE EXPONENT OF PHILIPPINE PROGRESS
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THE NATION'S LEADING NEWSPAPER

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DOF orders LGU treasury assessment on closure of mines

By CHINO S. LUYCO

The Department of Finance (DOF) ordered local treasurers in areas hosting mining projects to assess the impact on the would-be affected local government units (LGUs) of the closure or suspension of 28 mine sites across the country.

In a statement, Finance Secretary Carlos G. Dominguez III said they expect massive loss of jobs following the Department of Environment and Natural Resources' (DENR) order against mining companies.

Aside from jobs, Dominguez also said the order will affect the fiscal state of mining-host LGUs and the country's economy.

"On the revenue side, our primary concern is the revenues of the municipalities. That's why we asked the treasurers already to give us a quick-round assessment of how much is going to be lost in revenues," Dominguez said.

Preliminary data from the DOF's Bureau of Local Government Finance (BLGF) showed

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE



TO THE
POINT
EMIL P.
JURADO

Strange and suspicious

WHEN the nation was fixated, the past weeks, on the kidnapping and strangling of a Korean businessman by members of the Anti-Illegal Drugs Group of the Philippine National Police, right inside Camp Crame, a strange and suspicious event took place at the Commission on Elections warehouse in Sta. Rosa, Laguna where Smartmatic automated machines were stored.

The ceiling of the Memory Configuration Room of the warehouse collapsed, affecting the servers of the machines used during the May 9, 2016 national and local elections. These servers contain sensitive information—vital data that are the subject of election protests by former Senator Bongbong Marcos against Vice President Leni Robredo, and former Metro Manila Development Authority Chairman Francis Tolentino against no. 12 Liberal Party Senator Leila de Lima. Tolentino placed 13th.

Given the allegations that the Liberal Party and the "Yellowbards" conducted massive cheating in the last poll to make their candidates win, the collapse of the ceiling of that warehouse must be investigated.

Tolentino, in an urgent motion to the Senate Electoral Tribunal, expressed dismay that the Comelec informed the SET about the incident only last Jan. 16. The poll body asked the tribunal "to reboot, conduct diagnostics and shut down the servers covered by the election protests to determine the extent of damage to the data in the servers" when the incident occurred.

Knowing full well that there are claims by Marcos and Tolentino that both the

and Smartmatic machine officials connived to make Robredo win over Marcos, and De Lima over Tolentino, the SET and the National Bureau of Investigation should dig deeper.

A report to Comelec chairman Andres Bautista on the incident said technical people of the commission went to the warehouse and investigated the incident. They found out the dangerous condition of the servers (and the data they contain) because the air-conditioning system was not working.

I am sure there are CCTV footages of the Smartmatic warehouse.

When President Duterte appointed heiress Gina Lopez to the Department of Environment and Natural Resources, tycoon Manuel V. Pangilinan said that "it is like putting an elephant in a room."

Now Lopez has closed 23 mining firms and suspended five more for allegedly violating the law for polluting the environment with dangerous tailings.

These actions on mining firms put 67,000 direct jobs at risk with P66.6 billion worth of annual production expected to be lost. No less than Finance Secretary Carlos "Sonny" Dominguez expressed concern that P16.7 billion would be lost in taxes, my *gulang*!

Dominguez did not mince words when he said that his next concern is the impact on local governments to which mining firms pay taxes.

Dominguez is also concerned about the effects of Lopez's action on the Gross Domestic Product. The mining industry represents .05 percent of the country's total production. And most of all, the country will lose its dominance in nickel exports. The country controls 20 percent of the world market, with most of the mining firms producing nickel closed.

Perhaps, that's the reason why up to now, the affected mining firms have not been shown the audit reports. This violates the Transparency Act. My *gulang*, Lopez claimed, "it's too complicated." It's complicated because there was no due process, and the audit report was totally baseless.

President Duterte should instruct Lopez to make her audit report public. The mining firms affected have a contract with government. As such, their investors both foreign and local are guaranteed due process.

I can almost foresee multiple lawsuits filed by the affected firms against government. Is the Duterte administration sending the message that foreign investments in the mining industry are not welcome?

Representatives of the mining industry sought a meeting with Dominguez together with the Interagency Minerals Coordinating Council. This is to assess the impact of the Lopez audit report and likewise, its impact on the national economy.

It's bad enough that President Duterte has turned the country into "killing fields" with his bloody war on illegal drugs. More than 7,000 have already been killed. And now, this audit report. My *gulang*, Mister President, don't you realize that with Gina Lopez as

DENR secretary, your problems of poverty and joblessness can only get worse?

“The ceiling collapsed in the room that housed sensitive information on election protests.”

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Mines group hits out at 'unfair, illegal audit'

By Maricel V. Cruz,
Gabrielle H. Binaday
and Anna Leah E.
Gonzales

THE Chamber of Mines of the Philippines on Monday asked President Rodrigo Duterte to review the closure and suspension orders issued by Environment Secretary Regina Lopez, calling them "irresponsible, unfair and illegal."

In a statement, COMP chairman Art Disini said Lopez's decision to close 23 large-scale operating mines and suspend five others would hurt 1.2 million Filipinos whose livelihood depend on legal mining and cripple local governments that benefit from the taxes paid by the industry.

"Her actions have finally revealed her true bias: to stop all mining in the Philippines," the group said. *Next page*

Mines...

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The group also said that it was ironic that Lopez focused on legitimate operations, but turned a blind eye to illegal, undocumented, non-taxpaying and non-compliant mining operations that were "the real violators of [the] environment."

The chamber also accused Lopez of creating an unstable policy environment that threatened the economic growth momentum under the Duterte administration and "putting in limbo \$22 billion worth of investments."

"She is attacking the only industry in the country that has actually replanted over 20 million trees nationwide in the past few years alone, deceptively using images of active mining areas as 'evidence' that no rehabilitation is happening...and slowly killing an industry that has faithfully paid billions in taxes and fees annually."

"We respectfully appeal to the administration of President Rodrigo Duterte to thoroughly review the actions of the DENR secretary-designate relating to the minerals sector, and their serious repercussions [on] the country as a whole as they are without basis, fairness and legality," the chamber said.

The chamber noted that Lopez's predecessor required the mining companies to subject themselves to a yearlong certification process

under the ISO 14001, which Lopez herself described on July 1, 2016 as "another way of saying responsible mining."

In the House, Ako Bicol party-list Rep. Rodel Batocabe urged Congress to exercise its oversight powers to determine if Lopez's actions were legal.

Batocabe said that while he supports responsible mining, the DENR should ensure that its decision will not hurt the industry that has contributed significantly to the economy. exercise its oversight functions and look into the factual, scientific and legal bases for such a decision," Batocabe said.

The Finance Department on Monday ordered local treasurers to assess the revenue impact the mine closures would have on their respective areas.

Finance Secretary Carlos Dominguez III said he ordered the assessment because the mine closures could imperil the fiscal state of local government units in areas that host the mining operations.

"Our primary concern is the revenues of the municipalities. That's why we asked the treasurers already to give us a quick-round assessment of how much is going to be lost in revenues," Dominguez said.

Preliminary data from the department's Bureau of Local Government Finance show that at least 10 municipalities and one city would be hurt by the DENR's order to close down 23 mine sites, while one city and four municipali-

ties would be affected by the suspension.

Dominguez said that initially, he had discussed with the heads of the Office of the Cabinet Secretary and the Departments of Labor and Employment, Social Welfare and Development, Public Works and Highways, and Trade and Industry how to address the impact of the DENR move on jobs and LGU revenues.

Labor Secretary Silvestre Bello III said that while emergency employment can be provided to displaced workers, this would only be temporary.

Public Works and Highways Secretary Mark Villar, meanwhile, said he will look into additional projects in communities hardest hit by the mine closures so that jobs for the laid-off workers can be provided under a proposed supplemental budget.

"The Cabinet members are obviously also very concerned about unemployment and people not having income, so we will put our shoulder to the wheel to address that issue first," Dominguez said.

The Philippines is the world's top supplier of nickel ore and the main exporter to China. The order has already caused a rise in global nickel prices and a fall in local mining shares.

"I don't think [Lopez] did it arbitrarily but anything like this would need a response like more scientific and data-driven studies," said Socio-Economic Planning Secretary Ernesto Pernia.

With Macon Ramos-Araneta, AFP

The 'bigger hurt'

Statement from the Chamber of Mines of the Philippines

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ERVICE

TO the administration of President Rodrigo Duterte, we respectfully submit that the acts of the DENR Secretary-designate last February 2, announcing the suspension or closure of certain mining operations under the guise of "healing the hurt" were irresponsible, unfair and illegal.

Her actions have finally revealed her true bias: to stop all mining in the Philippines.

What is ironic is the Secretary-designate has trained her guns on the legitimate operations, while turning a blind eye to unpermitted, undocumented, non-taxpaying and non-compliant mining operations who are the real violators of environment.

Under the guise of "Healing the Hurt", she is actually creating an even bigger HURT:

1. She is condemning to poverty more than 1.2 million Filipinos whose livelihood depend on legitimate, legal, permitted mining;

2. She will financially cripple LGUs and mineral-rich rural communities who benefit from tax payments and Social Development Management Programs of responsible mining companies;

3. She is creating an unstable policy environment resulting in threatening the economic growth momentum under the Duterte Administration and putting in limbo US\$22 billion (P1.1 Trillion) worth of investments;

4. She is attacking the only industry in the country that has actually replanted over 20 MILLION TREES nationwide in the past few years alone, deceptively using images of active mining areas as "evidence" that no rehabilitation is happening;

5. She is slowly killing an industry that has faithfully paid billions in taxes and fees annually.

6. She is strangling current operations by the non-

issuance of tree-cutting permits, Environmental Compliance Certificates, Ore Transport Permits, Mineral Ore Export Permits and other DENR-controlled permits and stopping future projects by withholding and cancelling ECCs previously issued and non-processing of other required permits.

The Secretary-designate has effectively established a mining moratorium in the Philippines, trampling on the Philippine Mining Act, a law that she had sworn to uphold and implement before the President of the Philippines.

Beyond the mining companies, the Secretary-designate's intent to close the mining sector poses a danger to other industries. The logistics companies who provide drilling, construction, hauling and shipping; processing companies; manpower and transportation service providers; even those in the education and health sectors will be seriously impacted by the actions of the Secretary-designate.

Other strategic industries such as energy and petroleum are also being shackled and slowly strangled to death by stopping the issuance and processing or canceling of existing Environmental Compliance Certificates.

Her predecessor required the mining companies to subject themselves to a yearlong certification process under the international standards of ISO 14001, which she herself described on July 1, 2016 as "another way of saying responsible mining." But when faced with the fact that almost all of our member companies' mining operations met the standards and received the certification of ISO 14001, she launched her own 4-day audit and packed the audit teams with anti-mining NGOs. That she uses the results of this second audit rather than the results of the ISO stan-

dards reveal her inherent bias against the industry as a whole. Worse, President Rodrigo Duterte's appointee Undersecretary and Concurrent MGB Director Mario Luis Jaconto and his team are being ignored. They were even banned from last Thursday's Press Conference only including anti-mining NGOs.

It is now apparent that within her Department there is widespread chaos.

This is not the way to "heal the hurt". This is not the way to harness the mineral industry's potential as a contributor to the country's progress.

No one holds the monopoly on patriotism, love for the poor and the environment. Day in and day out, we the men and women of the minerals sector and our support services work towards alleviating poverty by investing billions of pesos in generating jobs, providing free education and health services, creating communities, building roads, dams and bridges, free electric and water services. In times of disasters, our rescue teams are first on call even in the most remote areas outside of our communities. We leave our families and work in areas neglected by the rest of the economy.

Our very existence depends on our responsible stewardship of the environment.

To us this is not just a slogan. This is our collective reality.

The country needs minerals and environmental policies to be handled with technical competence and sensitivity to the complexities of the issues.

We respectfully appeal to the administration of President Rodrigo Duterte to thoroughly review the actions of the DENR Secretary-designate relating to the minerals sector, and their serious repercussions to the country as a whole as they are without basis, fairness and legality.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

COMP: LOPEZA IRRESPONSIBLE, ILLEGAL, UNFAIR

THE Chamber of Mines of the Philippines (COMP) in a statement issued yesterday slammed Environment Sec. Gina Lopez's suspension of certain mining operations under the guise of "healing the hurt" as irresponsible, unfair and illegal.

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COMP...

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The full statement reads: To the administration of President Rodrigo Duterte, we respectfully submit that the acts of the DENR Secretary-designate last February 2 announcing the suspension or closure of certain mining operations under the guise of "healing the hurt" were irresponsible, unfair and illegal.

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COMP: Lopen irresponsible, illegal,
unfair

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even in the most remote areas outside of our communities. We leave our families and work in areas neglected by the rest of the economy.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DENR chief ipapatawag sa Kamara

Nais ipatawag sa Kamara ni Surigao del Norte Rep. Robert Barbers si Environment Sec. Gina Lopez para pagpaliwanagin sa naging desisyon na ipasara ang 21 minahan sa buong bansa.

Sa privilege speech ni Rep. Barbers, nais din nilang matukoy kung gaano kabigat ang epekto ng desisyong ito ng DENR at kung ano ang alternatibong nailatag ng gobyerno.

Madali naman umangonong sabihin na may alternatibong hanapbuhay para sa libu-libong mawawalan ng trabaho kapag nagsara ang mga minahan subalit ibang usapan umano ang aktwal na progama.

Nagbabala rin si Barbers na kung marami ang maghihirap dahil sa biglaang pagsasara ng mga minahan ay baka lalong lumala ang insurgency sa mga kanayunan.

Ang biglaang desisyon umano ng DENR ay lilikha ng mga zombie communities sa mga lugar ng ipinasarang minahan, bagay na dapat agapan ng pamahalaan. (Gemma Garcia)



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BULONG AT SIGAW

Ric Valmonte

IPINASARA ni DENR Secretary Gina Lopez ang 21 minahan sa bansa. Bukod kina House Speaker Pantaleon Alvarez, Bayan Party-list Rep. Isagani Zarate, sinuportahan ni Pangulong Digong ang ginawa ng kalihim.

Umalma ang grupo ng mga

MASYADONG SINIRA NG KAGANIRAN ANG KALIKASAN

nagmimina at kinampihan sila ni Congressman Prospero Pichay. Ang pangunahin nilang dahilan kung bakit hindi dapat ipasara ang minahan? Marami raw mawawalan ng trabaho.

Ganito rin ang katwiran ng mga yumayaman sa jueteng. Nakatutulong daw ito sa gobyerno sa pagbibigay ng trabaho sa ating mamamayan.

Ang layunin kung bakit binuksan

ang bansa sa mga nagmimina ay upang ang likas na yaman nito ay magamit at pakinabangan para sa hinahangad nitong katunlaran. Upang ang liblib na mga pook sa bansa ay mapaunlad at matamasa ng mga naninirahan dito ang pangmatagalang kasaganaan.

Pero, ang tanging ipinagmamalaking mga nagmimina ay iyong trabaho na ibinibigay nila sa mga residente. Wala silang

sinasabi, hango sa mga ebidensiya, kung ano ang naitutulong nila sa ating ekonomiya at ano ang inabot ng kanilang tulong sa kabubuting buhay ng mamamayan sa pangkalahatan.

Sa kabilang dako, ang makikita natin ay mga ginibang kabundukan. Kinalabo nila ang mga ito at kapag bumuhos ang ulan, dumadausdos sa kapatagan ang naglalakihang.

Sundan sa pahina 11

Masyadong sinira...

Mula sa pahina 7

bato. Rumaragasa paibaba ang tubig na nagdudulot ng pagbaha sa tinirhan ng mamamayan. Makapal na putik ang nanggagaling sa kabundukan na sumisira sa taniman at sakahan. Pagguho ng lupa ang laging nangyayari na pumapatay sa mga dukhang ang gilid ng bundok ang tanging nakikitang matitirahan.

Ganito rin ang itsura ng lugar kapag iniwan na nila ito dahil lubusan na nilang nakuha ang mina rito. Nakatiwangwang ito sa halip na ayusin at tamnan muli ng mga puno upang bumalik ang dating kalagayan nito. Kaya, tama si DENR Secretary Lopez. Kung saan ang minahan, naroroon ang kahirapan. Wala ka namang makita ng lugar na minimina at namina na gumanda at bumuti ang buhay ng mamamayan sa paligid nito. Masyado nang sinira ng kaganiran ang ating bansa.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

SOLON CALLS FOR MINES ORDER QUIZ

By Ryan Ponce Pacpaco

THE president of the Party List Coalition (PLC) yesterday urged Congress to exercise its oversight powers to determine the bases of the order issued by Environment Secretary Gina Lopez closing 23 mining firms and suspending five others for alleged violations of environmental laws.

Ako Bicol Rep. Rodel Batocabe, PLC president, said lawmakers should exercise its oversight functions, stressing the crackdown on the mining industry may affect the country's economy.

"We have to evaluate and review carefully if indeed there are sufficient legal bases for the ruling," said Batocabe.

While he is for responsible mining, Batocabe said the Department of Envi-

ronment and Natural Resources (DENR) should ensure that their decision would not affect the industry which has been helping hugely to propel the country's economy.

"Congress should exercise its oversight functions and look into the factual, scientific and legal bases for such decision," Batocabe added.

Earlier, Surigao del Norte Rep. Robert Ace Barbers accused the controversial former executive of the DENR, who was dismissed from his post by President Rodrigo "Rody" Duterte, of allegedly favoring some mining firms which may have not been included for closure and suspension for supposed violation of environmental laws.

Barbers said he was in complete disbelief that Environment Secretary Lopez tasked former DENR Undersecretary Leo Jasareno,

who was earlier dismissed by President Duterte, to lead the audit team for the mining firms.

He lamented that it was during the time of Jasareno as head of the Mines and Geosciences Bureau (MGB) of the DENR that alleged violations of various environmental laws were committed.

Surigao del Sur Rep. Prospero "Butch" Pichay had already sought a congressional investigation into the DENR ruling for supposedly violating environmental laws for being "illegal and arbitrary."

He reiterated that the decision of Lopez will cost the national government billions of pesos in lost revenues yearly, adding that at least 10,000 direct workers and 50,000 indirect workers from his district alone will be displaced.

Pichay accused Lopez

of violating all pertinent laws about mining, including the Mineral Production Sharing Agreement (MPSA), that the mining firms signed with the government.

He insisted that under the MPSA, once an audit of the mining firm was decided, the government should inform the firm about the intention to audit and the firm is allowed to appoint an official to join the audit team.

After the audit, he said, the team would come up with a report and discuss the findings, including the supposed violations that were committed to allow the firms to "rectify" the violations.

Pichay also argued that mining firms are allowed to contest the findings that would lead to an "arbitration" that would give the firms one year to settle the issue with the government.

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Help mine workers, Recto urges gov't

By Bernadette E. Tamayo

SENATE Minority Leader Ralph Recto has urged the government to use part of its P6.93-billion tree-planting budget this year in helping workers displaced by its order to close 23 mines nationwide.

He said that the fund allotted to the National Greening Program (NGP) of the Department of Environment and Natural Resources (DENR) could aid mine workers who will lose their jobs due to DENR's "wholesale" revocation of mining permits.

As shutdowns loom, Recto urged Malacañang to form an inter-agency group that will seek "ways and means" to help affected workers.

A portion of the NGP should be earmarked for affected mine workers, he said. "It can be part of a larger 'safety net' that will cushion the economic dislocation of tens of thousands of workers in this sector."

Mine owners have warned that the DENR's closure order will affect 1.2 million workers in the industry but a Mines and Geosciences Bureau (MGB) latest report officially pegs a lower number at 219,000.

"Bottomline is that



there should be a program, a master plan, to help the displaced workers. *Kung ang mga 'yan ay 50,000 Pinoy's galang Saudi na nawalan ng trabaho sa isang bagsakan, nagkumahaog na ang gobyerno. Dapat may urgency din sa kasong ito,*" said Recto.

He said that in addition to an emergency jobs program, the assistance could come in the form of college tuition vouchers for children of mine dependents, and slots in government's infrastructure projects.

But Recto clarified that NGP funds should only be spent on non-mined areas because under the rules of their exploitation the re-

sponsibility for rehabilitating these areas falls on firms which had mined them.

Recto said the NGP launched in 2010, is an "ambitious" multiyear project to re-green denuded and depleted forest lands, including coastal mangrove areas.

It is being implemented through a variety of scheme which include the parceling out of reforestation contracts to NGOs (non-governmental organizations), lumads, forest dwellers, local governments and environment groups.

Contract cost per hectare was P23,778 in 2015 and P26,278 in 2016. Recto has urged DENR to

vite mine workers to participate in the project as "reforestation contractors and then retain them later as stewards of the places they have greened."

"Many of them know about and have had experience in maintaining nursery sites and tree planting. And besides, planting trees is not rocket science," he said.

"With millions of hectares of denuded mountains needing regrowth, there is no lack of areas to plant nor of people who will do the planting," he said.

Recto said NGP's "spendable budget" this year could be more than the P6.93 billion appropriated in the 2017 national budget, as there could be leftovers or unutilized allocations from its last year's budget of P8.16 billion.

Under its original work plan for 2017, the NGP targets the production of 396 million seedlings to be planted in 300,000 hectares, on top of protecting 896,000 hectares planted in the past years.

To carry these out, the NGP will hire 2,180 "environment and natural resources" personnel at a payroll cost of P393 million annually.

"Baka ang ibang salungat na mag-i-offer sa mga displaced mine

workers. *Maging konti lang ang pabalat ng absorb-perang vacancy counts,*" said Recto.

The DENR reported

that from 2010 to 2015, the NGP had planted 1.32 billion seedlings, at a cost of P32 billion.

The Commission on

Audit (CoA) in a 2013 report, however, stated that the program had a high sapling mortality rate of 21 percent.



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Mawawalan ng trabaho sa minahan, aayudahan ng DoLE

Nagsasagawa ng monitoring ang Department of Labor and Employment (DoLE) sa inaasahang malawakang kawalan ng trabaho kasunod ng nakatakdang pagsasara sa 23 minahan.

Sinabi ni DoLE-Bureau of Local Employment (BLE) Director Dominique Tutay na makikipag-ugnayan sila sa Department of Environment and Natural Resources (DENR) upang magkaloob ng alternatibong kabuhayan at pagkakakitaan sa mga maaapektuhang manggagawa.

"Our regional offices do coordinate with the mining firms and workers relative to closure if any...and provide them with the necessary assistance," sabi ni Tutay. "We are monitoring the situation if ever there will be a displacement... our TUPAD (Tulong Pangkabuhayan sa Ating Disadvantaged/Displaced) and livelihood programs are ready to accommodate them."

Alinsunod sa TUPAD, bibigyan ang mga benepisyaryo ng emergency

employment mula 10 hanggang 30 araw.

Ipinag-utos noong nakaraang linggo ni DENR Secretary Gina Lopez ang pagpapasara sa 23 large-scale mining firm sa kabiguang makatupad sa mandatory safety standards.

Kinondena ng industriya ng minahan ang nasabing desisyon ni Lopez na hindi umano sumailalim sa proseso at maaaring magbunsod ng pagkawala ng trabaho ng nasa 1.2 milyong manggagawa.

Iginiit naman ni Lopez na maaari siyang magkaloob ng alternatibong kabuhayan sa mga maaapektuhang manggagawa sa susunod na 18 buwan dahil gagawin niyang ecotourism sites ang mga ipinasarang minahan.

"Give me a year and a half, maximum two years. They've (mga minahan) been there for 77 years. A green economy can create more jobs than the mining could ever (create)," paniniyak ni Lopez.

Kabilang sa mga ipinasara ng kalihim ang Aam-Phil Natural Resources Exploration and Development Corp., Krominco Inc., SinoSteel Philippines H.Y. Mining Corp., Oriental Synergy Mining Corp., Wellex Mining Corp., Libijo Mining Corp., at Oriental Vision Mining Philippines Corporation.

**Samuel P. Medenilla
at Rommel P. Tabbad**

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DAANG LIBO MAGUGUTOM SA PAGSARA NG MINAHAN

BINANATAN ni Surigao del Sur Rep. Prospero 'Butch' Pichay si Department of Environment and Natural Resources Secretary Gina Lopez dahil sa pabigla-biglang paglalabas nito ng kautusan na ipasara ang may 23 minahan nang hindi muna pinag-aralang mabuti kung ano ang magiging resulta nito 'pag tuluyang ipinasara ang mga ito.

Ayon sa kalihim ng DENR, pinapatay raw ang mga ilog at tinatabunan ng mga latak ang mga kabukiran ng mga irresponsableng mga mining company at naapektuhan daw ang pinagkukunan ng ikabubuhay ng mga magsasaka at mangingisda.

Bukod pa roon ay maraming irresponsableng minahan ang sumisira sa mga kapaligiran dahil hinuhukay at binubutas ng mga ito ang mga bundok nang walang pakundangan at walang pakialam ang mga ito kung mawasak man ang mga bundok.

Naglabas ng example si Lopez sa kabundukan ng Compostela Valley at ilang bahagi ng Davao Oriental.

Pero sa pag-aaral kung sakaling maipasara ng nasabing kalihim ang 23 minahan ay may 60 libong pamilya o daang libong katao ang posibleng magugutom dahil sa bara-barang desisyon na ito ni Lopez nang hindi muna komunsulta sa mga kasamahan niya sa DENR.

Bukod pa roon ay may nauna nang 10 minahan ang ipinag-utos ni Lopez na magsara kasabay ng pagsususpende naman sa 20 iba pang minahan na hinihinalang nakasisira raw ng watershed areas sa lugar ng minahan.

Hinamón pa ni Pichay si Lopez na mangyari ay bisitahin niya ang

**JUAN DE
SABOG**
ni JOHNNY MAGALONA

distrito nito sa Surigao del Sur at patunayan niya ang kanyang alegasyon na nakasisira ng watershed areas ang mga sinasabi niyang kompanya ng minahan sa kanyang distrito.

Napakadaling magpasara ng mga minahan lalo pa kung ito ay lubusang nakapeperwisyo, pero ang masakit dito ay maraming pamilya naman ang magugutom kapag na ipinasara ang mga minahan na pinagkukunan ng ikabubuhay ng mga minero at pamilya ng mga ito.

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MORE FILIPINOS ENCOURAGED TO TAKE ACTION AGAINST CLIMATE CHANGE

THE scale of destruction caused by Super typhoon Yolanda (international codename Haiyan) in 2013 awakened Filipinos and the world to the consequence of inaction and divisiveness on climate change. Seven million individuals were affected by disaster, more than five million jobs were lost and more than four million people were displaced. Billions of pesos were needed for medical aid and rebuilding efforts, and death counts unbearable even for a country visited annually by 20 storms. All these pointed to the stark truth that our planet is under threat.

That year the Philippines topped the Global Climate Risk Index's list of countries most vulnerable to weather-related disasters. The storm's aftermath revealed more complex realities borne of disasters. Blocked roads and bridges limit the access to food rations from outside; supplies dipped and hunger rose in affected communities. Children's groups share fears for the well-being of those left orphan by the storm and living in relocation sites.

The country's economy was not spared. Yolanda ripped power lines from as far

as Laguna and Zamboanga del Sur to the hardest-hit areas, like Leyte, Samar and Bohol. Disconnected from the national grid, agricultural and service-oriented industries were paralyzed for months. The National Economic Development Authority registered inflation rates as high as 6 percent and a 1.6-percent rise in poverty incidence, which set poverty levels at 47.3 percent in Leyte.

Geography has always put a known risk on the country. Its archipelagic nature leaves parcels of land open to the battering of strong currents, but a more worrying phenomenon has risen since. The Philippine Exposure Map on Climate Change, drafted by the Department of Environment and Natural Resources, details the dwindling sources of water for the upper regions, while provinces in the Visayas and Mindanao face the combined threat of "extreme heat and rising sea levels."

To mitigate the risks that come with climate change and global warming, the Philippines pledged to reduce its greenhouse-gas emissions by 70 percent and encourage the shift from coal to more

sustainable sources of energy. The accord achieved at the 2015 United Nations Climate Change Conference in Paris is scheduled to take effect this November.

A year since the discussion on the Paris agreement, and its effectivity and scope are still on the table. The commitment to reduce the national emission is being contested, but vital areas, like climate justice, is making its way to the mainstream. Discouraged by May 2016 typhoon victims filed a case against carbon emitters, a landmark case for human rights related to the climate.

People are taking actions, refusing the dim future that looms on the horizon. Many are exploring transportation options, like car-pooling and demanding cities to reserve spaces for bike lanes. Even industrial designs are reflecting this predisposition to cleaner, more earth-friendly buildings, as well as energy-saving machines. More forums are being hosted, among these, Climate Reality Project's sponsorship of top climate-change advocate Al Gore.

Climate Reality Project, a global multisectoral alliance, enjoins more Filipinos in its cause for the environment.

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TRIBAL DANCE – Members of the Mananway tribe perform at the Mahagnao park festival. (Restituto Cayubit)

DENR leads Mahagnao Volcano festival

By RESTITUTO A. CAYUIT

BARANGAY MAHAGNAO, Burauen, Leyte – The Department of Environment and Natural Resources' (DENR) regional office led the celebration of the Second Mahagnao Volcano Natural Park Festival here last February 3.

DENR Regional Director Leonardo R. Sibbaluca said the celebration featured an 18-kilometer marathon participated by runners from other provinces in Visayas and Mindanao, and kayak racing in Lake Mahagnao.

Members from the Mamanwa tribe

in Buauen also performed native dances during the festival, Sibbaluca added.

The event attracted more than 1,000 participants from Mahagnao and nearby villages, employees and officials from the regional DENR, concerned government agencies and municipal officials, the police and the military.

The festival aims to raise public awareness in the environmental protection and conservation of the Mahagnao park.

Sibbaluca said the festival provided a chance to show off local delicacies, agricultural products, indigenous foods,

fresh water fish, and other aquatic products.

Farmer organizations displayed their wares and produce in seven booths.

Leyte Governor Leopoldo Dominico Petilla said Mahagnao park is one of the popular tourist destinations in the province.

Established in 1937, the 635-hectare Mahagnao Volcano National Park was renamed Mahagnao Volcano Natural Park in February 3, 1998 under the DENR's National Integrated Protected Areas System (NIPAS).

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Antamok water tests pass EMB standards—BC

By Dexter A. See

ITOGON, Benguet—Water samples from three rivers affected by the tailings leak of Benguet Corp.'s shuttered Antamok mine have passed the standards of the Environmental Management Bureau, meaning the accidental leak has been contained, the company said.

The sampling was part of an independent study jointly commissioned by Benguet Corp. and the EMB to validate the contamination of the Ambalanga, Liang and Agno river systems from the accidental leak of the underground Antamok mine's tailings impoundment area last October, caused by heavy rains triggered by Super Typhoon "Lawin."

One of the large-scale mining companies operating in the province, Benguet Corp. traces its operations back to 1903. Its Antamok underground mine stopped operating in 1989, and its open-pit counterpart last operated in 1998.

BC management submitted to the Cordillera EMB office the results of the independent third-party laboratory analysis of the water sampling made by CRL Laboratories along different areas of the affected rivers.

CRL, an accredited laboratory of the EMB, reported the samples taken from the various water sampling stations were below the limits set by the Department of Environment and Natural Resources.

Among the water sampling stations subjected to assessment and evaluation included the Asin Dalupirip; Depey, Tinongdan; Baloy, Tinongdan; Apechay, Poblacion; Apechay-Ambalangan convergence; Colbath, Balisong; Laing penstock; and Liang Dam.

Tests conducted on the water samples included shimadzu analytical methods, atomic absorption spectrophotometry, and standard methods for the

examination of water and waste water.

Lawyer Froilan Roger C. Lawilao, BC administration department head, said the company's cleanup along the stretch of the Liang river and its downstream was completed by Jan. 7. They reported it to the EMB-CAR and the regional office of the Mines and Geosciences Bureau before their joint inspection to validate such report.

Lawilao said the final decision on the possibility of the country's first and oldest mining company being fined for the accidental tailings leak now lies with the Pollution Adjudication Board, thus earlier reports on Benguet facing millions of pesos in fines "are considered premature."

Since the accidental tailings leak, Benguet Corp. had mobilized volunteers and personnel in a massive cleanup of the Liang River. This "illustrated their desire to perform the needed measures to prevent the various river systems from being contaminated," the company said in a statement.

"We remain committed to our responsibility to clean up whatever areas that were affected by the accidental tailings leak. We believe we were able to comply with the mandates of the law to ensure that the river systems will be spared from the hazards of mining," Lawilao stressed.

The EMB-CAR and the MGB-CAR are expected to come out with their own findings and recommendations, to be transmitted to the PAB for final adjudication.

Firm seeks reopening of coal storage

COAL storage facility operator Rock Energy International Corp. has asked the Department of Environment and Natural Resources (DENR) to decide on its fate a year after the agency shut down the operations of its stockyard in Manila due to alleged environmental issues.

The company said that its coal mineral products storage and handling facility located in Vitas Industrial Estate in Tondo has more than complied with all the necessary requirements the agency for it to resume operations but a year has passed and the DENR has yet to render a decision.

The facility was the subject of complaints by residents who claimed coal dust from the facility cause health hazards.

The DENR in 2015 slapped the firm with a cease and desist order (CDO) which suspended its environmental compliance certificate (ECC) for the facility.

The facility can store up to 50,000 metric tons of coal.

"Delaying an action is harassment... But we want to avoid legal action so dialogue is a solution and we really want to seek a dialogue with the new environment secretary Gina Lopez," said Ricardo Veloso, Rock Energy chairman.

Veloso said the company has installed pollution control devices such as dust control units to mitigate the spread of dust, portable and fixed water sprayers, silting pond and drainage system to prevent flooding, wire mesh wind barrier and an 8 meter high perimeter fence around the stockyard.

Mona de Leon, chief finance officer of Rock Energy also clarified the company is not a mining firm but is an operator of a storage facility for coal which it delivers to various cement manufacturers in the country among other customers.

Rock Energy noted the resumption of its operations is vital since on average, cement firms only spend P5 million monthly using coal compared to P12 million when using oil fuel in running their plans.

"We only store the virgin materials (coal), our clients are the ones utilizing them for various usages," Veloso said.

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Use tree-planting fund to aid displaced mine workers – Recto

By: [Name]

Senate Minority Leader Ralph Recto on Monday urged Malacañang to form an inter-agency group that will seek "ways and means" on how to help displaced mine workers.

In a statement, Recto also said that the government should use part of its multi-billion-peso tree-planting budget this year in helping workers displaced by its order to close 23 mines.

He said that the P6.93 billion fund of the Department of Environment and Natural Resources (DENR) for its National Greening Program (NGP) this year could aid mine workers who will lose their jobs due to DENR's wholesale revocation of mining permits.

A portion of the NGP, he said,

should be earmarked for affected mine workers.

"It can be part of a larger 'safety net' that will cushion the economic dislocation of tens of thousands of workers in this sector," said the senator.

"Rich mine owners won't feel the pinch. They have made a stockpile of money. It is the people on the ground who will bear the full brunt of the closure of their workplaces," he added.

Launched in 2010, the NGP is an ambitious multiyear project to re-green denuded and despoiled forest lands, including coastal mangrove areas.

It is being implemented through a variety of schemes which include the parceling out of reforestation contracts to non-government organiza-

tions (NGOs), lumads, forest dwellers, local governments and environment groups.

Contract cost per hectare was P23,778 in 2015 and P26,278 in 2016, according to Recto.

He then urged DENR to invite mine workers to participate in the project as "reforestation contractors and then retain them later as stewards of the places they have regreened."

"Many of them know about and have had experience in maintaining nursery sites and tree planting. And besides, planting trees is not rocket science," he said.

"With millions of hectares of denuded mountains needing regrowth, there is no lack of areas to plant, nor of people who will do the planting," Recto added.

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

editorial

Logged out

IN 1991 massive flooding and landslides brought on by a strong typhoon resulted in the deaths of nearly 8,000 people in Ormoc City, Leyte. The Ormoc tragedy, as it became known, was largely blamed on logging and deforestation. Calls for a total logging ban rang loud in the halls of Congress and Malacañang then.

In 2004 hundreds of people died in floods and landslides in Quezon, Aurora and Nueva Ecija after a series of storms. Blame was again cast on loggers who have stripped forests bare and turned lowland villages into death traps. Politicians talked all over again of enforcing a total logging ban.

What do they say about people who do not learn the lessons of history? They are doomed to repeat them. So, here we are again.

Expressing his anger over the unabated logging that reportedly is also to blame for the massive floods that recently claimed lives and destroyed properties in Northern Mindanao, President Duterte reportedly told Environment Secretary Regina Paz L. Lopez during a Climate Change Commission meeting last week to "stop all logging operations with no exemptions".

The President ordered the departments of Environment and Natural Resources, Agriculture and of the Interior and Local Government to form a committee to create the implementing rules of a nationwide logging ban.

We will not tire from saying this, shouting it from the rooftops even. Skewed public policies can lead to the creation of disasters. It is not just climate change and the weather. We have suffered one tragedy after another as a result of rampant logging and, yet, what have we done to prevent the next? Administrations have responded in a reactive manner that did nothing to prevent further disasters.

Lessons should have been learned after what happened in Leyte, Aurora, Quezon, Nueva Ecija and many other provinces. Floods and landslides are not just natural, but man-made, disasters. They are rooted in poverty, corruption and environmental abuse. For as long as we do nothing to significantly reduce these problems then we would keep repeating the tragic mistakes of history.

So another total or partial logging ban by another administration is now in the works. Over two decades ago, during public hearings in the Senate, then-Sen. Orly Mercado noted that there's hardly any difference between illegal loggers and legal loggers. He said the only difference is that the so-called legal loggers have the political clout to get timber license agreements.

Indeed, for years environment groups have blamed legal logging for the denudation of Philippine forests. They say logging companies have used their legally allocated cutting permits to illegally access logs in areas outside the official limits of their permits.

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Watershed stops floods

Forest cover cited in saving town center in Agusan del Sur

SAN FRANCISCO, AGUSAN DEL SUR—A watershed has protected this town from massive floods that swept the entire province last month, according to a local forest expert. Bonifacio Narca, forester of San Francisco Water District (SEWD), said at least 1,650 hectares of Mt. Magdiwata had been declared as a watershed free from commercial activity, including logging.

Narca said the watershed continues to enjoy a 95-percent forest cover which had been effective in preventing runoffs from flood from reaching the town center's five villages.

Parts of the watershed that had been destroyed, manifested by a crack about a hectare in diameter found on Magdiwata in January 2014, had been rehabilitated.

Naturally grown trees had taken root in the area, preventing landslides, said Narca.

The trees, he said, were

spaced up to eight meters apart and are dipterocarps and "deep-rooted species." They helped "hold loose prismatic soil (soil that forms into pillars or columns) in that part of the mountain," Narca said.

During inspection in 2014, geologists from the Mines and Geosciences Bureau (MGB) found cracks that could unleash landslides on a community near a creek at the foot of the mountain. The area had been identified as a buffer zone for the watershed.

Natural occurrences

Narca said small landslides were reported in areas of the watershed with steep slopes, but these were natural occurrences and negligible. The area's thick forests would cushion any landslide, he said.

Forest rangers, he said, had been keeping watch for not only loggers but also helping clear waterways of tree branches

and rocks.

Elmer Luzon, SEWD general manager, said the monitoring of the Magdiwata watershed, which had been proclaimed by Malacañang as a permanent watershed, is part of the utility firm's regular program.

SEWD has been at the forefront of rehabilitating what used to be an endangered mountain with only 40 percent forest cover in 1997, brought by the onslaught of logging operations by big companies and indiscriminate slash-and-burn farming by settlers.

No barrier

Narca, a forester for more than 30 years, said the Pantaron mountain range in Bukidnon province is incapable of serving as a barrier against floods and landslides because its old trees are on steep slopes and are up to 15 meters apart.

Water dumped on Pantaron by the recent relentless rains simply cascaded down Agusan Marsh

and Agusan River, supposedly the catch basin of floodwaters.

Many residents of La Paz town, the hardest hit by the flooding, supported the theory that the floodwaters were a result of Pantaron's inability to serve as a barrier.

Elsewhere in the province, an anti-illegal logging task force announced the seizure of 198 pieces of illegally sawn logs just as President Duterte announced plans to declare a total ban on logging.

The logs were seized in the village of Marfil, Rosario town, tagged as an illegal logging hotspot.

A report by the task force said the logs were abandoned near Rosario's boundary with Surigao del Sur province.

The antiforest poaching operation came after Mr. Duterte announced the creation of a committee to study the implementation of a total ban on logging. —CHRIS V. PANGANIBAN INQ

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IPO WATERSHED RANGERS CAN NOW PATROL LONGER WITH SOLAR LAMPS AND CHARGERS

THEY don't pack high-tech gear or high-caliber weapons, but the Dumagat rangers of Ipo Watershed patrol Bulacan's forests like it is their home.

Sporting simple tools and gears donated by mountaineers, the rangers work day and night to protect the Sierra Madre mountain range against illegal loggers, *kaingin* farmers and charcoal collectors. With little gear and basic pay, they've had a tough run, but they finally got help.

On January 10 the watershed's rangers received solar lamps and mobile chargers from the World Wide Fund (WWF) for Nature Philippines and AVolution, a digital signage-solutions company, whose core business is to supply and install LED screens across the Philippines. A total of 52 lamps were made available to the rangers to augment their capacity to patrol at night, while allowing them to charge their mobile phones and other communications gear, increasing the range of foot patrols.

"Our 'LED There be Light' initiative illuminates distant communities and helps locals do their job without relying on dangerous, dirty and expensive kerosene or carbide lamps," AVolution President and General Manager Lani Kimber Campos explains. AVolution also gave 200 solar lamps to farmers in Barangay Tiniguiban, Gumaca, Quezon Province, last year.

Ipo Watershed, together with the Angat and Umiray watersheds, supply 98 percent of the water consumed by Metro Manila. Situated northeast of the sprawling Metropolis, it covers 7,161 hectares in the town of Norzagaray and San Jose-Del Monte City in Bulacan, plus the town of Rodriguez in Rizal.

Sadly, the watershed's forests are in full retreat. Though protected by several proclamations, including a certificate of ancestral domain of the watershed for the Dumagat tribesmen, the area is

pockmarked by patches of bare soil. From 85 percent, forest cover plummeted to 40 percent in recent years. The government and groups, like the UP Mountaineers, have been helping locals protect the watershed.

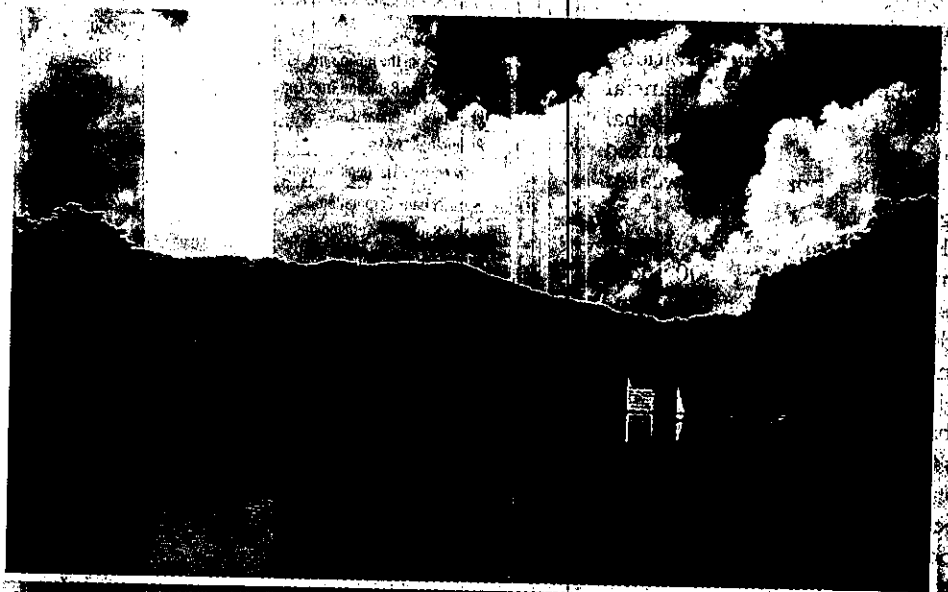
WWF and its allies, which include Banco de Oro, Samsung and Sunlife Foundation, recently joined the fray. "The deployment of solar lamps is just part of a larger initiative to protect the entire watershed," explains WWF Philippines Project Manager Paolo Pagaduan, who formerly oversaw a watershed conservation project in Rizal. "We're now working to develop a sustainable watershed management plan; form an effective management body for all microwatersheds; aid groundwater recharge; minimize erosion and siltation; mitigate pollution through waste management; conduct regular monitoring and the evaluation of interventions; and replant denuded areas to provide livelihood opportunities and

maximize forest recovery. Simply put, we're going beyond tree-planting," he explains.

But the proof of the pudding is in the eating, and the rangers were visibly excited to try out their new solar lamps and chargers at the turnover ceremonies.

"Sometimes we spend up to three days patrolling these mountains," gestures veteran ranger Bayani Cruz to the distant mountains east of Ipo Dam, already scarred by *kaingin* farmers. "Conditions are rough, especially during the monsoon season, when rivers swell and trails turn to streams, but we always do our duty. We earn only P100 per day, but we don't do this just for money. We are [the] Dumagat—we were born in the forest and we are just protecting our homes."

Through the efforts of the aptly named Bayani, plus the rest of the rangers protecting the Ipo Watershed, Metro Manila's 12 million residents can rest easily, knowing there will always be water to drink.



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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Editorial

Logged out

Enforcing partial logging bans is actually more difficult than enforcing total logging bans. To begin with, primary forests from which absolutely no logging must be done have not been properly or clearly identified by the government. Also, the government does not have the manpower to monitor logging activities in restricted areas. Even if they have people in these areas, they're usually no match to the military might big-time loggers wield. Another thing is, once the timber is cut, even the stolen can become legally clean.

Forest laws around the world have hardly been enforceable. This is why logging has been generally unsustainable. In pursuing a total or partial logging ban, therefore, the question is not whether it is right but whether it is enforceable. Coming out with any kind of ban is one thing and having it followed is another. In the real world, implementing the law has less to do with justice than with strategy.

For instance, could the people responsible for forest management implement any ban successfully given the poor implementation of present forest-protection laws? If present laws can only be strictly implemented, the impact would already be similar to a total logging ban.

Also, for a lot of people in upland communities, logging is the only way to feed their families. So any policy solution must provide for the creation of alternative jobs and community support for them. There must be incentives for compliance that would be more attractive to logging.

We know what we must do, the really hard part is doing it. There is no alternative but to try to rehabilitate the damage that our inaction has caused the environment, our forests, in particular. The government, in the past, has been the last to act on rampant logging and our people have paid for its neglect dearly with their lives.

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

DAVAO, DAVAO DEL SUR



Wounded and saved

A wounded Southern Philippine Hawk-eagle was recently rescued along the Sibulan River in Davao del Sur by Bagobo-Tagabawa farmer Henry Andi, who shooed a flock of crows attacking it. Mr. Andi sought help from AboltizPower subsidiary Hedcor, which operates in the area, which in turn facilitated the immediate turnover of the bird to the Philippine Eagle Foundation for treatment and rehabilitation.

ABOLTIZPOWER PHOTO

STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Hedcor saves another hawk-eagle in Davao del Sur

ANOTHER wounded eagle was rescued along the Sibulan River in Davao del Sur, this time by a Bagobo-Tagabawa farmer, Henry Andi, who shooed a gang of crows attacking the eagle and sought AboitizPower subsidiary Hedcor's help for its immediate turnover to the Philippine Eagle Foundation (PEF).

This is the second eagle saved by Hedcor, after it successfully helped Mabikkerr—a Pinsker's hawk-eagle—in 2015.

The PEF said the eagle is an adult Southern Philippine hawk-eagle, a family of eagle that is already endangered and in need of human protection.

"The eagle was weak and dehydrated," PEF biologist Giovanne Tampos said.

The attack injured the eagle's left wing, and disabled it to fly and stand. Fortunately, through the teamwork among the Provincial Environmental and Natural Resources, Hedcor, and the local residents of Barangay Sibulan, the two groups have been educated through Hedcor's information-education campaigns on bird protection.

Currently, the hawk-eagle is under the care of the foundation, and is getting better.

"The hawk-eagle is still under observation. Its food ration is given with vitamins; and though the wound on its left wing still needs medication, the eagle can now stand and eat on its own," Tampos said.

After two weeks of observation, the eagle's weight increased to 900 grams, from 750 grams. Its average normal weight is 1,500 grams.

Hedcor hopes the eagle will soon be soaring back to the wild, like Mabikkerr. In 2015, after 37 days of intensive care by Hedcor's wildlife veterinarian consultant Dr. Bo Puentespina, Mabikkerr was released by Bagobo-Tagabawa Berny Apal and Hedcor President Rene Ronquillo back to the protected forest of Mount Apo National Park.

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*Aedcor saves another hawk-eagle in
Davao del Sur*



BAGOBO-TAGABAWA farmer Henri Andi turns over the endangered hawk-eagle he saved from a pack of crows in the Sibulan River in Davao del Sur to the Philippine Eagle Foundation for proper care and medication.

Occupants not real parties in interest in annulment of land title

Dear PAO,

We have been occupying a certain portion of 6,000 square meters of land owned by Mr. X who is now residing in the United States. Mr. X allowed us, including almost 50 families, to occupy his titled land since 1970. Last month, Creston informed all the families occupying the property to vacate it because he is the real owner and he presented a Transfer Certificate of Title to prove his ownership.

This matter was brought before the barangay conciliation proceedings, and we found out that Creston's title includes the property owned by Mr. X. We do not want to surrender our possession of the land, hence the proceedings before the barangay failed. We are contemplating filing a case against Creston in order to annul his title considering that he encroached on the property of Mr. X. Please guide us on this matter.

Brando

Dear Brando,

Civil actions for annulment of title should be prosecuted in the name of the real party in interest. A real party in interest has been defined under Section 2, Rule 3 of the 1997 Revised Rules of Court as "the party who stands to be benefited or injured by the judgement in the suit, or the party entitled to the avails of the suit. Unless otherwise authorized by law or these Rules, every action must be prosecuted or defended in the name of the real party in interest."

Please be guided also by the decision of the Supreme Court in the case of Goco et. al., vs. CA (G.R. No. 157449, April 6, 2010; ponente, former Associate Justice Arturo Brion), where it is stated:

This provision has two requirements: 1) to institute an action, the plaintiff must be the real



DEAR PAO

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party in interest; and 2) the action must be prosecuted in the name of the real party in interest. Interest within the meaning of the Rules of Court means material interest or an interest in issue to be affected by the decree or judgment of the case, as distinguished from mere curiosity about the question involved. One having no material interest to protect cannot invoke the jurisdiction of the court as the plaintiff in an action. When the plaintiff is not the real party in interest, the case is dismissible on the ground of lack of cause of action.

An action for annulment of certificates of title to property into the issue of ownership of the land covered by a Torrens title and the relief generally prayed for by the plaintiff is to be declared as the land's true owner. The real party in interest in such action therefore is the person claiming title or ownership adverse to that of the registered owner.

Applying the decision and provision of law in your case, the action you intended to file will be dismissed because you and the families occupying the lot of Mr. X are not the real parties in interest to file a civil action to annul the title of Creston. Such action must be initiated by Mr. X or any person that he may authorize by means of a Special Power of Attorney.

Again, we find it necessary to mention that this opinion is solely based on the facts you have narrated and our appreciation of the same. The opinion may vary when the facts are changed or elaborated.

We hope that we were able to enlighten you on the matter.

Editor's note: Dear PAO is a daily column of the Public Attorney's Office. Questions for Chief Acosta may be sent to dearpao@manilatimes.net

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STRATEGIC COMMUNICATION AND INITIATIVES SERVICE

Being prepared for the new climate danger

By VINOD THOMAS

Super storms in the Philippines and the United States, great floods in China, India and Thailand and summer heat waves in Australia and Canada in recent years are manifestations of an alarming trend in the rise of climate-related disasters. The 2010s may well go down as the decade when the trend line of these events headed aggressively north after a noticeable rise in their frequency since the 1970s.

Global warming has contributed to warming oceans, more moisture in the air and higher sea levels, but scientists have been cautious about attributing to climate change a flood or storm. Even so, papers have argued that the intensity of Super Typhoon Haiyan in the Philippines and Hurricane Sandy in the United States owed to changing climate. More recent work has been even more pointed: global warming is shown to have made Japan's unusually hot summer this year 1.5 to 1.7 times more likely.

A consensus, too, is building that climate change has roots in human actions. We have known for a long time that weather events turn into disasters for man-made reasons. More people are hurt when they are exposed in harm's way, and when they are vulnerable and unable to cope. But now we also know that the intensity and frequency of the hazards themselves are greater because of man-made global warming.

This understanding profoundly affects how countries engage in disaster risk reduction. Economic growth projections are contingent on addressing climate change. Yet few of the forecasts take into account the impacts of climate change that are already evident, or the massive investment and resources that will need to be mobilized for climate action. Such forecasting is missing from the current estimates for global growth of around 3.0-3.5 percent in 2017, and 5.5-6 percent for Asia and the Pacific, and 6.5-7 percent for the Philippines.

Countries need to build in contingency plans in their economic programs. Floods and storms in recent years inflicted sizable losses in Australia, China, Indonesia, South Korea, Thailand, Philippines and Vietnam. After the financial crisis, gov-

ernments and multilateral institutions intensified their efforts to anticipate future crises, carrying out stress tests of the resilience of their banking systems. In the same way, we now need stress tests of how well countries can withstand the impact of rising natural disasters.

For economic growth to be more sustainable, we also need to value all three forms of capital — physical, human and natural. Government spending and private investment have long been skewed toward the first two forms of capital, with natural resource management getting short shrift. Yet, natural capital — its stock of natural assets — is essential for the pace and quality of growth. Sustainable land use and agricultural practices, and forest and coastal management, need far greater emphasis in Southeast Asia.

Country actions bring both global and local benefits. Reducing black carbon emissions that blight so many cities like Beijing, Manila and New Delhi is a case in point. Phasing out the use of polluting fossil fuels is another. India and Indonesia recently slashed fossil-fuel subsidies, which required taking on powerful interest groups. Investments in solar photovoltaics in China and Japan, and in onshore wind across Europe are pointing the way for increased use of renewable energy.

The five cities most vulnerable to natural hazards are all in Asia: Bangkok, Dhaka, Jakarta, Manila, and Yangon. All of them are overcrowded and in geographically fragile settings. Asia's growth has been characterized by increasing urbanization, making it imperative that climate-friendly urban management becomes a strategic thrust. And because the poor are hit harder by the effects of climate change than the rest of the population, building resilient communities will be essential to poverty reduction.

Climate related natural disasters are no longer one-off occurrences, rather systemic events that need preventive action. Disaster risk reduction is an investment, going beyond relief and reconstruction to a dual approach of prevention and recovery. Japan invests some five percent of its national budget in disaster risk reduction, and this has been shown to reduce human

and economic losses when disasters strike.

High returns on preventive efforts are also evident even where the total spending is not as high as in Japan. In the Philippines, the effects of flooding in Manila after heavy monsoon rains in August 2012 contrasted strongly with the devastation caused by Tropical Storm Ketsana in 2009 after the authorities instituted preemptive evacuations and better early warning systems.

To deliver sustained growth and wellbeing, we need to value natural capital, recognize the human hand in climate change, and take preventive action against climate-related calamities.

(The writer is a visiting professor at Asian Institute of Management, Manila; author of the newly published book *Climate Change and Natural Disasters: Transforming Economies and Policies for a Sustainable Future*, published by Transaction.)

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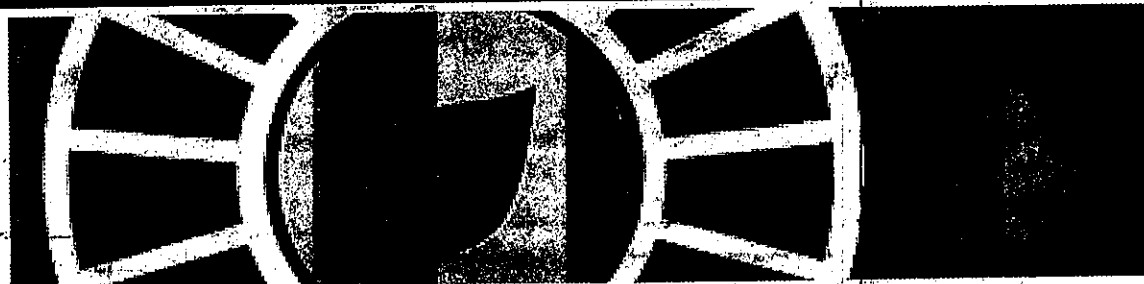


Photo courtesy of Google Images

PARIS AGREEMENT FOR PH:

Should developing countries sign?

By Chloe Angela Marie M. Isler

THE Paris Agreement on Climate Change is the first legally binding deal that aims to collectively reduce carbon emission in the world.

This global effort will eventually be beneficial to all nations, particularly developing countries like Indonesia and Philippines that are vulnerable to the disastrous effect of the disruptive climate patterns.

Sunil Dahiya of Greenpeace India said switching to renewable energy, and eco-agriculture fuels will address air pollution.

Moreover, focusing on pollution control measures for factories and power plants will reduce carbon emissions.

One of the key provisions in the Paris Agreement is financial support of developed countries to developing countries.

\$100 billion will be mobilized until 2025 for

adaptation and mitigation projects.

In addition, developed countries agreed to significantly increase support for adaptation before 2020.

Increasing global temperatures caused the extreme weather conditions and devastating typhoons, thus recognizing the country as geographically vulnerable.

There will be longer and drier seasons and more frequent and heavy rainfalls that will devastate the citizens.

The severe weather will have a huge impact on the farmers and fishers. It will reduce and limit production, exacerbate their living conditions, and injure the economy.

The financial aid the Philippines will be able to get from the treaty will not only help in mitigating the Greenhouse Gases (GHG), but also

to adapt to the effects of the climate change.

Industrialization is of vital importance even to developing countries.

This is reflected by the negative reaction of President Rodrigo Duterte over the Paris Agreement.

The Philippines, unlike other developing countries, emits only a small amount of carbon.

Therefore, reducing it will probably halt the industrialization of the country.

But in order to prevent disastrous effects and the continuous rise in the temperature of the world, it is the moral obligation of all nations — developed or not — to work together.

Industrialization is important, but it will be irrelevant if it will cost the safety and mortality of the people who are supposed to benefit from it.