

Mining and Indigenous Peoples in the Philippines

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In May 2006 two community representatives from Mindoro Island in the Philippines - an indigenous Mangyan leader and a Catholic priest - came to the UK to voice community opposition to the activities of Crew Development, a UK-based mining company. Crew has offices in Norway and Canada, but its headquarters are in the UK.

Crew has plans to develop a nickel mine on the island of Mindoro, on a concession covering almost 100 sq km. Production will involve strip mining the soil for nickel and cobalt in a rainforest and critical watershed area for up to 30 years.

Sustained opposition

Contrary to the claims of Crew, the project has met with strong and sustained opposition throughout the island of Mindoro. The mine will be on the ancestral lands of the Mangyans, who have vociferously expressed their antagonism to the project. This alone under Philippine law should be enough to stop the project.

There are also concerns about deforestation, increased flooding from siltation of the rivers and the impact on endangered species, such as the tamaraw (wild water buffalo), as well as regarding mine waste. The company is considering whether to dump the large amount of waste generated into the sea using the highly criticised practice known as submarine tailings disposal.

The provincial governor of Mindoro Oriental, the two local congressmen and the province-wide mayors' league all oppose the mine. There have been numerous popular rallies, with 12,000 attending the most recent. The provincial board in Mindoro Oriental has even passed an ordinance imposing a moratorium on all mining activities for the next 25 years, as it views large-scale mining as incompatible with its provincial sustainable development plan.

Yet, with central government support, the project is still being forced through, challenging laws protecting the indigenous peoples, local government autonomy and the environment.

Struggling economy

The Philippine government of President Arroyo is strongly promoting mining expansion to rescue the struggling economy. It is backed in this by the World Bank, Asian Development Bank and other international investors. In 2005 a 'road show' of mining companies and government officials from the Philippines visited London, alongside other investment capitals, to drum up finance. They also discussed with the British government cooperation aimed at increasing mining investment from the UK into the Philippines.

Several UK-based companies are increasingly looking to invest in mining in the Philippines. These include major companies like Anglo American and BHP Billiton, as well as so called 'juniors' (smaller companies), many of which are raising funds on London's AIM (the Alternative Investment Market).

The Philippines has a legacy of environmental disasters and human rights abuses associated with mining. The Philippines is subject to extremes of weather and earthquakes and is made up of many densely populated small islands where people are living off the land or seas and are therefore dependent on the health of the environment for their survival.

There is therefore strong and growing opposition to the rapid expansion of mining across the country. This includes the influential Catholic Bishops' Conference, the Protestant National Council of Churches, national chapters of Friends of the Earth and Greenpeace, and many others.

Abuse of consent

It is the indigenous peoples, and other local communities in remote areas, who have suffered most from this poor legacy. This is even more worrying given that the Philippines has one of the most advanced laws dealing with indigenous peoples, which cedes them title to their ancestral land and then confirms their right to give their Free, Prior, Informed Consent (FPIC) to development projects on that land.

Yet time and again companies keen to gain the resources under the land undermine that legal protection. This is what happened in the case of Crew, where the company set up an unnecessary, new 'indigenous' organisation. This was created at a meeting inside the company compound, and represents only a small number of the affected Mangyans.

Indigenous Peoples Links (PIPLinks) has logged many similar cases of the abuse of FPIC in a report, co-authored with Christian Aid, called *Breaking Promises, Making Profits*.

Because of the lack of legal protection in the Philippines, indigenous peoples frequently seek the aid of organisations like PIPLinks to appeal to international law and to public opinion in the countries where the abusive companies are based. One of the main targets of the recent visit was the large banking shareholders of the company, who at least agreed to meet with them - unlike the company itself, which refused.

If you would like to know more about how you can assist the Mangyan, and lobby mining companies and shareholders in the UK, please contact me on comms@piplinks.org.

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Note

Breaking Promises, Making Profits was published by Christian Aid and PIPLinks in 2004 and is available at www.piplinks.org/development_issues/philippines_report.pdf.

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