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Undermining Justice

Clare Short

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On a recent fact-finding visit to the Philippines I found myself among some of the most radical and ecologically sensitive Christians that I have ever met. They were Columbans - a dwindling band of missionary priests mainly from Ireland, the United States, Australia and New Zealand - who are doing all they can to fight plans for a major expansion in open-cast mining funded by foreign investment.

The Columbans say that mining for gold and other minerals has already destroyed houses and rice fields, polluted rivers and streams and threatened mangrove forests and coral reefs. They fear further work on the scale envisaged would rob indigenous people in remote areas of their ancestral lands. The bishops of the Philippines have also taken a united and powerful stand against the mining proposals, stating, "The right to life of people is inseparable from their right to sources of food and livelihood. Allowing the interests of big mining corporations to prevail over people's rights to these sources amounts to violating their right to life." It is notable and impressive that the Church is standing strongly alongside tribes, who follow a traditional religion that reveres nature, without striving to convert them and showing full respect for their sacred stories and rituals.

I had never visited the Philippines and had no plans to do so but my friendship with a parish priest in London led me to meet Fr Frank Nally. Fr Nally had previously served in the Philippines and first told me about the problem of mining. In early 2006 he came to see me and said that things were getting worse, with smaller companies applying for licences to mine in remote and ecologically fragile areas that were sacred to the local people. These applications, he said, are being encouraged by the Philippines Government and the World Bank, which say that a mining revival will bring prosperity to a country struggling with debt and poverty

Last month, accompanied by Fr Nally, I was able to see for myself what was happening. We visited Mindanao, a southerly island of great beauty and many mining applications. From the 1960s onwards, settlers from other islands had been encouraged to come to Mindanao and the indigenous population had been pushed inland, living with the forests denuded by illegal logging and dependent on the gifts of nature that surround their sacred mountains.

Our first meeting was with a group of local people gathered by a Catholic project including a tribal leader who was awarded title to his ancestral domain by two presidents. He told us that he had been prevented from entering his land by a mining company, TVI Resource Development Philippines (*TVIRD*), an affiliate of the Canadian firm TVI Pacific. We also met a family who told us that their house and rice fields had been bulldozed from beneath them and showed us pictures of what had happened. Later the diminutive but vigorous Bishop Jose Manguiran of the Diocese of Dipolog spelled out his deep anger at the company's action and his determination that the tribal leader's authority should be acknowledged. He also said that he planned to make it clear to the authorities that Mass should not be said within the mining area as a mark of the disapproval of what was happening.

On our second day in Mindanao we left early for Mass in Midsalip where Fr Frank was previously parish priest. The service took place in a big, open-sided church. Instead of a sermon, Fr Nally and I explained the purpose of our visit. We then met in a packed room with some of the local Subaanen people who told us how their right, entrenched in law, to give free, prior, informed consent to any mining proposals on their lands was being suborned by government bribery and intimidation. It is, of course, easy to bribe the very poor people, and among those who were resisting the numerous mining proposals the sense of fear was palpable.

Our later meetings, first with activists and then the whole community in the church, revealed a people living in dread of 70 per cent of their municipality being taken over by mining. Our mining expert, Clive Wicks, was utterly shocked that applications were being considered for open-cast mining that would take the tops off some of the mountains and therefore risk poisoning all the local rivers and bring destruction to rich agricultural land. In addition to this, the community had a long-standing complaint that the local municipal officers were paying themselves the salaries to which officials in Manila were entitled, thus using all the funding provided for the municipality leaving little for services. A complaint to the local ombudsman had been turned down and the case is now before the Supreme Court. In the meantime, the malpractice is spreading to other municipalities.

From Midsalip, we travelled to Libay, located in a beautiful bay where a large mine run by another company, Philex Gold, had been shut because of large-scale landslips which destroyed houses and rice fields. The people told us that when the mine was open, the bay was muddy and the fish, mangrove and shellfish all suffered. The mine was closed after seven years and the bay gradually recovered. But Philex continues to finance small-scale miners to engage in open-cast mining. They are using cyanide to extract the maximum gold from the rock. The consequence, we were told, was that a man's rice field was growing less rice, his legs were covered in black blotches from working in the rice field and even the farmers' bathing water, which came from a well, made their skin itch. It seemed that the cyanide had got into the water table. In addition, some farm animals were thin and infertile; and landslips were a continuing threat. They asked us to help them prevent the mine from reopening as Philex is making a new application.

In Manila, we met the Chief Justice, a devout Catholic, who explained that the Supreme Court had reversed its decision against the Mining Act because it provided a framework to regulate mining. He maintained that the mining companies can be called to account if they flout the law. I also met the ombudsman - a recently appointed woman - who acknowledged that there were major problems of corruption and asked for ammunition to

enable her to make useful enquiries. We will certainly be testing her promise.

The British ambassador set up a useful meeting with the chairman of the Chamber of Mines, representatives of the Department of Environment and Natural Resources and the Minerals Council of the President's office. The Governor and parish priest from the beautiful island of Mindoro joined the meeting to tell how their community opposed the mining proposal submitted by a British-based company, Crew Gold, which they believe would destroy their plans to expand sustainable agriculture and ecotourism. The Chairman of the Chamber of Mines kept assuring us that a law to protect the environment was in place and that bad proposals would be refused. I pointed out that if that was so, many of the applications would have been immediately refused rather than encouraged and supported by those in authority

At our meeting with the World Bank, I challenged the country representatives to explain how the proposals for mass mining would benefit the economy. Foreign companies were being offered low taxes and the right to take all their profits out of the country. Having encouraged mining so strongly, World Bank officials seem to have washed their hands of current developments, and said they had limited influence and were trying to counter corruption.

My visit to the Philippines was deeply moving. The land is so beautiful, the people so friendly, the Church so courageous and the risks to poor people's livelihoods and fragile ecosystems so serious. I found both the bishops and the Columbans magnificent. But victory will not be easy. The Government is determined to drive its proposals forward. The Church will resist. Lots of people will get hurt and precious lands will be damaged irreparably. Our taxes are funding the World Bank and EU programmes in the Philippines. UK companies are planning to mine there and all the companies involved hope to raise funding in London. We are increasingly conscious of the threat to the future caused by our misuse of the environment. In the Philippines, the threat is stark and immediate. The Church is committed to trying to prevent this destruction. This campaign deserves all the support we can muster.

The mining company TVIRD denies the allegations against it from the Church and from the indigenous people who spoke to Clare Short. It says it holds a Mineral Production Sharing Agreement with the Philippines Government within Canatuan. It points out that it has entered into an agreement for the development of the area with an organisation representing indigenous people, the Siocon Subano Association (SSAI). It claims that the partnership has brought benefits to indigenous people in the areas of health, education, livelihood, infrastructure and security. On 15 August the SSAI filed a complaint for libel against Bishop Manguiran and nine staff members of an NGO supported by the Church, the DIOPIM Committee on Mining Issues. With regard to the tribal leader who said he had been prevented from entering his land by TVIRD, the firm admitted that there were problems in 2002 when 13 people were killed in an ambush. However, it says it is not its policy to prevent Subanons from entering their homes in Canatuan. If such an incident occurred it would have been contrary to company policy.

Clare Short MP is the former Secretary of State for Overseas Development and MP for Birmingham Ladywood. Her visit to the Philippines was funded by the Columbans, the Catholic aid agency Cafod and Trócaire, the overseas development agency of the Catholic Church in Ireland.