



# Philippine Misereor Partnership, Inc.

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## Position Paper In Support of the ALTERNATIVE MINING BILL (AMB) or House Bill 6342

The Philippine Misereor Partnership, Inc. (PMPI) is a faith-based, rights and development-based organization working on pro-poor and pro-people programs all over the Philippines and funded by the German Catholic development agency, Misereor. The partnership boasts of over 300-member organizations grouped into around 30 clusters and spread all over the regions in the Philippines.

The PMPI members have worked with the various communities of the impoverished and marginal sectors and have been with them in a long-term accompaniment and solidarity for their unremitting struggles to rise above poverty, underdevelopment, marginalization, and exclusion.

Among the prominent issues that our local partner-communities face, particularly among the rural upland and Indigenous communities are large-scale and destructive mining, in the wake of the passage of the Philippine Mining Act of 1995.

In various partner-communities where mining have been taking place, it has become clear by now that the much-vaunted benefits of this industry have been outweighed by the well-documented and mounting harm and damages, some of them irreparable---that mining has wrought in terms of environment pillage, divided communities, displaced communities and livelihood, loss of biodiversity and sources of subsistence, increased vulnerabilities to climate crisis and risks of natural and man-made disasters, worsening poverty and underdevelopment and rampant human rights violations, to mention some.

In 2005, and in response to the alarming concerns about the destructive impacts of mining, the PMP has set up a Mining Advocacy Campaign. Since then, the campaign project has assisted communities in fighting against mining operations in various areas in Luzon, Visayas and Mindanao. The PMP has extended assistance by helping empower these communities technically, organizationally, and legally to carry the issue of mining within the framework of integral human and rights-based development.

The Mining Advocacy Campaign Project has also forged strong links with the other anti-mining movements, human rights and- environmental groups in order to increase the strength and effectivity of our campaigns. PMPI has also actively taken part in the consultative process of developing and drafting the Alternative Mining Bill where it mobilized the expertise and rich knowledge of PMPI members who shared their valuable inputs and support to the House Bill 6342.

The Philippine Misereor Partnership (PMPI) in its National Assembly last April 2009 passed a Resolution institutionalizing the anti-Mining Advocacy Program. The resolution called for the repeal of the Mining Act of 1995, the enactment of the Alternative Mining Bill (AMB), and lobby for an immediate moratorium on large-scale mining. The national assembly resolution called for a continued convergence strategy with other groups, and for maximizing legal assistance for the anti-mining issues and cases. The PM PI and the Anti-Mining Advocacy project not only supports the House. Bill 6342 or the Alternative Mining Bill, but it commits its wholehearted efforts to work with other fellow advocates for its eventual passage. #30 September 9, 2009



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### Press Release

**September 9, 2009**

## Anti-Mining Activists Score Large-Scale Mining in the Philippines as the Height of "Corporate Irresponsibility"

Various anti-mining activists gather together today, September 9, 2009 in a Roundtable to exchange critical views about the notion of "Corporate Social Responsibility (CSR)", particularly in the mining industry in the Philippines. Prior to this however, many share the view that large-scale mining and its well-documented destructive impacts on the affected communities and the environment and corporate social responsibility (CSR) are contradiction in terms.

Corporate Social Responsibility (CSR) has gained currency in recent years, in response to the growing concern about increasing corporate power and influence, including those in the mining and extractive industries in the Philippines and elsewhere. CSR is understood as a company's obligations to integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis. There is however an increasing clamor to hold mining companies effectively accountable for the mounting evidence of abuses and human rights violations that result from their operations.

"Large-scale mining with its death-dealing impacts and irreparable harm not only on the environment but on the host communities is actually the height of 'corporate irresponsibility'", says Prof. Nymia Simbulan, a UP Manila Professor and Executive Director of PhilRights, a human rights organization. "When corporations are given the license to operate and thrive with profits as their main goal, and are called upon to observe their social responsibility on a voluntary basis," holding mining companies to account for their harmful activities and human rights violations will largely be ineffectual and toothless." Simbulan further adds.

"Indigenous Peoples and their ancestral lands are among the most victimized communities by the operations of large-scale and foreign mining investors and their local counterparts. At least eight (8) of the fifteen (15) mining-affected communities comprising the Philippine Misereor partners belong to at least (14) tribes that are directly affected and threatened by mining incursions into their ancestral lands," reports Ms. Marietta Paragas, of the Cordillera-based Shontoug Foundation, which supports the indigenous people's rights against mining.

"Without the Indigenous People's meaningful participation, and the genuine exercise of their right to a free, prior and informed consent, corporate social responsibility (CSR) by investors in their communities merely become a hollow exercise of public relations at best, and at worst, a deceptive ploy to divide and bribe the communities into silence and submission". says Fr. Romeo Catedral of the Diocese of Marbel, one of the staunch advocates against open-pit mining in the provinces of Cotabato.

Max de Mesa of the Philippine Alliance of Human Rights Advocates (PAHRA) welcomes the latest efforts by the Office of the Special Representative of the United Nations Secretary General (SRSG) Prof. John Ruggie to carry out a broad multi-stakeholder consultation in order to explore



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and develop ways to operationalize a framework for business and human rights regarding corporate responsibility and accountability. "However, by doing so, the traditional notion of human rights must be expanded to include non-state actors such as business and corporations and hold them accountable for human rights," de Mesa declares.

"The centrality of human rights and social justice over profits and markets" should be upheld, otherwise, **CSR** will just remain an aspirational goal, rather than an effective tool to protect, respect and remedy those victimized by corporate activities and abuses. There is therefore an urgent need for **CSR** and corporate accountability to move decisively away from a voluntary initiative to a regulatory and justiciable framework, where norms, standards and mechanisms for enforcement are clearly expressed in the language of rights and obligations," de Mesa asserts.

The stakeholders and rights-claimants' Roundtable Discussion on Corporate Responsibility in Mining is taking place in the run-up to the scheduled global consultation on Business and Human Rights in Geneva, Switzerland on October 5-6, 2009. The Geneva Consultation is being organized by the UN Office of the High Commissioner on Human Rights (OHCHR) wherein Philippine Misereor partners from the Philippines as well as other human rights, trade and environment groups dealing with issues of transnational corporations, business and human rights, will take part.

The Philippine-Misereor Partners (**PMP**) Anti-Mining Campaigns (**AMC**) Project, together with other anti-mining campaigners and advocates, sees the forthcoming Geneva consultation as an opportunity to help provide inputs and insights, based on the experiences of the mining-affected communities, frontline anti-mining advocates and movements in relation to the concept, discourse and practices of "corporate responsibility" in mining. #30

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