



The Philippines is rich in minerals. We need a new law that allows us to use these minerals to build our nation instead of destroying it.

The Alternative Minerals Management Bill (AMMB) proposes to manage our minerals for national industrialization; to prohibit mining in areas that are sources of food and water; and to place greater safeguards for affected communities.

These are features of **rational mining** - mining that helps build the nation, protects the environment, and promotes the welfare of people. The AMMB replaces the 1995 Mining Act, a law that has put mining companies first before life and country.





"The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. However, the State shall protect Filipino enterprises against unfair foreign competition and trade practices." -Article 12, Section 1 of the 1987 Philippine Constitution

The 1995 Mining Act treats nature purely as a factor of production, supporting an export-oriented business model.

One of the most convincing arguments that the 1995 Mining Act does not work is how little the mining industry contributes to the economy – on average, 0.07% to the GDP per year. The State just gets up to 2% in taxes, effectively giving away our minerals to mining companies.

The mining industry does not employ many people either, contrary to the claims of the industry. Data from the Mines and Geosciences Bureau (MGB) found that on average the industry only employs around 250,000 people per year or 0.6% of the labor force. Most of the people employed by mining companies are not from the host communities, too.

Under the AMMB, minerals will be managed to help the country industrialize.

Instead of being exported as raw materials, minerals mined in the Philippines will be processed in the country, to boost downstream industries, help modernize agriculture and improve our manufacturing industries, among others.

Under the AMMB, it will only be Filipino-owned corporations that will be allowed to mine in the country. This is a shift from the 1995 Mining Act, which allows large-scale and often multinational mining companies to mine in the country chiefly for export. Under the AMMB, Filipino corporations will be a partner of government in nation-building.





AMMB AND THE ENVIRONMENT

The AMMB recognizes the vital role of strategic minerals in helping the country industrialize. However, this does not give the mining industry carte blanche to exploit our natural resources for profit.

In the AMMB, the environment does not have a price tag, and environmental conservation, biodiversity, food and water sources come before mining. The AMMB also recognizes the reality of climate change and disasters; mining must not add an additional layer of hazard to already vulnerable areas. As such, the AMMB declares the following areas no-go zones for mining:

- Areas declared no-mining zones by local governments
- Densely populated areas, especially residential areas
- Head waters of watershed areas
- Areas with potential for acid mine drainage
- Critical watersheds
- Critical habitats
- Climate disaster-prone areas
- Geo-hazard areas
- Key biodiversity areas
- Prime agricultural lands
- Old growth, natural or primary and secondary forests, watershed forest reserves, wilderness areas, among others.

The projected droughts in Mindanao because of climate change, for example, should inform any decision about mining, which is water-intensive. Whilst boosting trade in the short term, mining endangers water sources in the long term.

The AMMB also requires corporations to set aside sizeable funds for rehabilitation after mining.

Before an area is opened to mining, a comprehensive assessment that covers health, environmental, cultural, land use, and economic impacts shall be first made.





AMMB AND THE PEOPLE

The AMMB is a key legislative proposal that echoes the social justice provisions of the 1987 Constitution:

"The goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged." -Article, 12 Section 1, 1987 Philippine Constitution

The AMMB puts people at the heart of minerals management.

Under the AMMB, a Multisectoral Minerals Council (MMC), composed of representatives from government, affected local and/or indigenous peoples communities, will be formed, to be part of any and all decision-making related to mining in their area.

This council decides if an area can be opened to mining (after the MGB makes a scientific recommendation that an area has strategic minerals); chooses which Filipino corporation will undertake the mining; monitors the progress of the mine; and other such crucial decisions. The Free and Prior Informed Consent (FPIC) of indigenous peoples must be secured at each and every stage of decision-making.

This honors the right of indigenous peoples to self-determination, which is enshrined in the 1997 Indigenous Peoples Rights Act; and the right of local communities to participation and the right of local governments to autonomy, as provided in the Local Government Code.

By allowing only strategic minerals to be mined - minerals needed for national industrialization - the AMMB also conserves the environment for future generations. Our natural resources are finite and interdependent; destroying one area has an effect on other ecosystems.

The AMMB also recognizes that human rights abuses committed by mining corporations are grounds for the suspension or cancellation of mining licenses. Under the AMMB, violations committed by mining employees implicate their companies: corporate failure to police its employees is evidence of liability.

The track record on human rights of a mining company will form part of the basis for the issuance, suspension and cancellation of permits.

