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DENR

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DENR Secretary lays down future plans

The Department of Environment and Natural Resources (DENR) plays an important role in regulating the country's natural resources, which includes agroforestry.

DENR Secretary Maria Antonia "Toni" Yulo Loyzaga outlines the department's thrust:

Ethical stewardship. The Department will be using a multi-stakeholder consultative process that involves government and private sectors, as well as "the CSO (civil society organizations) community, academe, and the different practitioners in the different fields that are part of the mandate of the DENR."

"Why that's important is we have to recognize that the mandate of the DENR is what we call trans-disciplinary," Yulo Loyzaga said. "We need to involve the different stakeholders and the different type of expertise."

The Department is currently making a list of folks to include in their expert advisory council. "These are going to be experts on science, in policy, and in prac-

tice," Yulo Loyzaga explained.

E m p o w e r partners. "What we'd like to do, because of the science that we'd like to bring forward, is to develop a new type of agency so that our partners can actually take directions on their own that will lead to the same outcome," Yulo Loyzaga said. "So certain unity of purpose is necessary for us to actually achieve the goals in terms of enhancing, protecting, and restoring our environment for national development."

Engage expertise. The Department is currently taking stock of its resources and how they can be better deployed to serve stakeholders. They're also consulting with global experts on streamlining processes.

"I'd like to say our overarching goal here at the Department is to use the phrase



AVANT GARDENER

YVETTE TAN

'measure what we treasure,' and by doing that, we feel we will be able to contribute concretely to the Philippine development plan moving forward. How we will measure is the following," Yulo Loyzaga said.

Utilizing space-based resources. One of the DENR's first projects is the establishment of a National Natural Resource Geospatial Database. "This will serve as the baseline for all of our natural resource inventory in the country," the Secretary said. "Really looking at the use of satellite imagery and other types of... systems in order for us to understand what has happened to our country physically in the last half-decade or so."

Align with global goals. "...We would like to ensure that we are in alignment with global events and global commitments that our country has entered into," Yulo Loyzaga said.

This includes the climate change negotiations, biodiversity conservation, and disaster reduction. "...The DENR has headed the delegation to the Asia Pacific Ministerial Conference on Disaster Risk Reduction. We have now been asked by [the] United Nations to actually host this conference here in 2024," she added.

The Secretary's background in climate change and disaster risk management, among other science-based civic organizations, gives her a unique perspective on how to move the DENR forward.

"I'm coming from a different community and

so I needed to understand what really the department is doing, and so with the help of our under-secretaries and staff and team at the Department of Environment and Natural Resources, I think we have a fairly good grasp to start our process moving forward," she said.

The DENR is also working with other departments to boost the country's agroforestry industry.

"As you know, this work doesn't just entail the DENR. It actually also needs to be part of the DA's (Department of Agriculture) work, and there's also a component that actually involves the NCIP (National Commission on Indigenous Peoples), it actually involves also DAR (Department of Agrarian Reform) as well, and so in terms of the programming for agroforestry, we realize that there is in fact a need for some communities to generate that income, and therefore combining fast growing and the more slow growing species will actually be the strategy in terms of trying to provide for whatever the livelihood needs are for our communities," Yulo Loyzaga said.

"We have not had the opportunity to sit down with the DA on this. However, this has been part... of the work of the DENR in previous administrations where they have allowed actually some fast growing species and fast growing crops, for example, like cacao, to actually be intercropped with the forest area."



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GEOLOGICAL SURVEY FINDINGS

MGB: OBSERVE CAPACITY LIMITS AS SINKHOLES INCREASE IN BORACAY

By Joey Marzan
@joeymarzanINQ

ILOILO CITY—Sinkholes have been documented in the three villages comprising Boracay Island since 2018 but a government geologist said the latest geological survey showed that its number had increased, endangering the stability of structures in the world famous tourist destination in Aklan province.

Engineer Mae Magarzo, chief geologist of the Mines and Geosciences Bureau (MGB) in Western Visayas, said their records showed that the number of sinkholes on the island went up from 798 in 2018 to 801 in 2019, 814 in 2020 and 815 between 2021 and 2022, in the villages of Bala-bag, Manoc-manoc and Yapak.

Magarzo said the island's current physical carrying capacity should be strictly implemented as she warned that the increasing number of infrastructures being built on the island would create more sinkholes.

She said unlike the occurrence of landslides that may be determined by observing cracks or lowering elevation, ground collapse due to sinkholes can be harder to anticipate.

"[With] sinkholes, when the support underneath is affected, it will immediately fall down, including the structures standing there," she said.

"We can see that there are more holes. The danger there is that if the island is overcapacitated in structures, there will come a time when many [of these] structures will collapse," Magarzo added.

The conduct of the geohazard and hydrogeological mapping in Boracay was part of the MGB's tasks under the national government's rehabilitation of the resort island since 2018.

According to the Depart-

ment of Environment and Natural Resources' (DENR) "subsidence susceptibility map," the island in Malay town is highly susceptible to subsidence or ground sinking as it also sits on a fault line.

Boracay, according to Magarzo, is made of limestone and is vulnerable to sinkholes.

"The behavior of our limestone is that it melts, so when it gets hit by water, especially if its composition is acidic, [the limestone] gradually melts," she said.

Structures

Boracay's carrying capacity assessment in 2018 indicated structures built on the island had exceeded the ideal number.

There are 10,250 houses on the island or 4,712 units more than the 5,538 real carrying capacity (RCC) for residential structures.

The island also has 2,779 business establishments, 878 units more than the 1,901 RCC for business.

Boracay has 430 accommodation establishments which is below the RCC for smaller-lot areas at 808 units. It has, however, 154 units that exceeded the RCC for larger-lot areas, set at 276 units.

The RCC was based on the Comprehensive Land Use Program map of the island from 2013 to 2022.

Boracay has a tourist carrying capacity of 19,215 or a daily capacity of 6,405, according to the DENR. The agency's data indicated that at least 6,085 tourists are arriving on the island per day, well within this carrying capacity.

In Manila, Tourism Secretary Christina Frasco said her department was coordinating with the DENR to look into the matter and ensure the safety of tourists. —WITH A REPORT

FROM JACOB LAZARO INQ



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ENDLESS SUMMER Since travel and health restrictions during the pandemic have been eased, it has been an endless summer in Boracay as tourists have been flocking to the resort island in Malay Aklan. These visitors are shown enjoying the island's clear waters in July. —JACK JARILLA

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Not another sinkhole, please

By the end of the Boracay Inter-Agency Task Force's extended term in June 2022, domestic tourism was on the verge of a huge resurgence.

The body tasked during the time of President Rodrigo R. Duterte to facilitate the rehabilitation of the Philippines' most famous island did indeed manage to get the areas in and around the Panay destination clean, and ready for travelers once more.

The pandemic was a "bonus" in allowing the place to live and breathe even longer than the first prescribed six months before droves of revenge travelers arrived to bask in the sun and sea.

By October 2021, then Department of Environment and Natural Resources Secretary Roy Cimatu said it might be worth looking into increasing Boracay's "carrying

“*Yes, Boracay, which is entirely of limestone, has been found to have 815 sinkholes in 2022, up from 789 in 2018.*”





capacity” as tourism had picked up significantly.

He said people were already exploring more areas on the island, even parts that used to be “shunned” due to pollution.

A *Daily Tribune* editor who lived in Boracay for several months at the height of the pandemic attested to the island’s healthy condition, from the famed “front” main beach to the “back”.

Cimatu hoped to help boost tourism and asked the DENR’s Ecosystems Research and Development Bureau to study the possibility of allowing more people into the island.

Now, however, that idea might as well evaporate under hot scrutiny, as the latest study reveals that visits to Boracay may need to be restricted within its “carrying capacity.”

Yes, Boracay, which is entirely of limestone, has been found to have 815 sinkholes in 2022, up from 789 in 2018.

The numbers have kept rising each year, as shown in the DENR’s Karst Subsidence Hazard Mapping.

“Sinkholes,” explained engineer Mae Magarzo, head of the Geosciences Division of DENR’s Mines and Geosciences Bureau, “are land depressions due to the removal of support underneath due to earthquake, or due to the lowering of the ground waters. These sinkholes are not found in other types of rocks but exclusively in limestone areas.” Sinkholes cause structural damage, as well as affect groundwater quality.

The MGB chief, in a media forum last 12 December, warned against overpopulating the island – or exceeding the maximum of 19,215 people allowed in a day.

The Environment Agency’s ERDB in 2019 recommended about “6,405 arrivals a day for a three-day stay,” adding the “ideal tourist arrival per day should be 6,085.”

According to reports, the sinkholes are located mostly in Boracay’s barangays Manoc-manoc (with 293), Balabag and Yapak.

What is troubling is that the island, in 2018, registered a total of 70,781 population in a day (which included residents and tourists) – over 15,000 more than the island’s carrying capacity of 54,945.

Are proper controls being exercised to maintain this Philippine pride?

With the end of the BIATF last June, a review of the 2018-2022 Boracay Action Plan, which had cost the government some P26 billion, was brought up to determine if “more should be done as far as the rehabilitation is concerned.”

Whether this evaluation will be undertaken remains to be seen, but if the Marcos Jr. administration is serious about its environmental sustainability goals, then it had better not leave this as another sinkhole through which promises fall.

“
The MGB chief warned against overpopulating the island – or exceeding the maximum of 19,215 people allowed in a day.”



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Daan-daang sinkhole nakakalat

BORACAY NAMUMURONG

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MABURA - MGB



Daan-daang sinkhole nakakalat

BORACAY NAMUMURONG MABURA - MGB

NANGANGANIB umanong lumubog ang Boracay Island sa Malay, Aklan dahil sa nadiskubrengh mahigit 800 sinkhole sa pamosong isla.

Pinag-ingat ngayon ng Mines and Geosciences Bureau (MGB) ng Department of Environment and Natural Resources ang mga residente at turista sa Boracay dahil sa presensya ng nasa 815 sinkhole sa isla.

Ayon sa MGB, posibleng lumubog ang popular

na Boracay Island dahil sa mga sinkhole.

"There is danger if there is overcapacity. Only time will tell when structures will collapse," babala ni Engr. Mae Magarzo, chief geologist ng MGB sa Western Visayas region.

Dagdag ni Magarzo, unti-unting nadagdagan ang sinkholes sa Boracay sa nakalipas na apat na taon.

Noong 2018, may natukisang 789 sinkholes sa tatlong barangay. Taong

2019 naman, nadagdagan ang sinkholes at naging 800. Pagtuntong ng taong 2022 ay sumirit pa ito sa 815.

Paliwanag ni Magarzo, madaling magka-sinkhole sa Boracay dahil ang lupa nito ay gawa halos lahat sa limestone.

Dagdag niya, mahirap mahuwaan kung kailan mangyayari ang sinkhole dahil ang mga ito ay biglang nangyayari at walang naunang pahiwatig.

Dahil dito, nanawagan si Magarzo para sa mas mahigpit na pagpapatupad ng "carrying capacity" o paglimita sa mga papasuking turista sa Boracay. (Issa Santiago)



815 sinkholes nadiskubre BORACAY POSIBLENG MAGUNAW

NAGBABALA ang Department of Environment and Natural Resources-Mines and Geosciences Bureau (DENR-MGB) na posibleng gumuho ang pamosong Boracay Island matapos madiskubre ang 815 sinkholes.

"There is danger if there is overcapacity. Only time will tell when structures will collapse," babala ni Engr. Mae Magarzo, chief geologist ng bMGB in Western Visayas region.

Sinabi ni Magarzo na unti-unting tumaas ang bilang ng

mga sinkholes sa pinakasi- kat na beach destination sa bansa sa bayan ng Malay, lalawigan ng Aklan sa nakalipas na apat na taon.

Nakakita ang MGB-6 ng 789 sinkholes sa tatlong barangay sa isang hazard assessment noong 2018, ang taon kung kailan ipinatupad ng administrasyong Duterte ang malawakang rehabilitasyon at ipinagbawal ang mga turista sa Boracay sa loob ng anim na buwan.

Pagsapit ng 2019, tumaas ang bilang ng mga sinkhole sa 801. Pagsapit ng 2022,

tumaas ang mga ito sa 815.

Sinabi ni Magarzo na ang Boracay ay madaling kapitan ng sinkhole dahil ang lupa ay halos gawa sa limestone.

Idinagdag niya na ang mga sinkhole ay napakahirap hulaan dahil ang mga ito ay biglang nangyayari at walang mga naunang tagapagpahiwatig.

Sa MGB-6 Coastal Geohazard Map ay natagpuan din ang mga pangunahing lugar sa resort-island na madaling kapitan ng pagguho.

"The main beach is al-

ready showing low erosion," ani Magarzo.

Nananawagan si Magarzo para sa mas malakas na pagpapatupad ng carrying capacity ng Boracay.

Noong 2018, itinakda ng gobyerno ang maximum na 19,215 turista sa resort-island

kada araw na may 6,405 na bagong turista lamang ang pinapayagang makapasok.

Hindi pa inilalabas ng DENR ang bagong carrying capacity ng Boracay na dapat ay inilabas noong natapos ang termino ni Pangulong Duterte noong Hunyo 30.



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Dr Walter W. Brown (5th from right) was awarded the Pasasalamat ng Minero by the Philippine Mine Safety and Environment Association (PMSEA) at the 68th Annual National Mine Safety and Environment Conference (ANMSEC) for his many contributions to the mining industry. In photo with Dr Brown, the immediate past president of PMSEA (and Chairman Emeritus of publicly listed Apex Mining) are DENR Secretary Maria Antonio Yulo Loyzaga (4th from right), Ambassador Delia Albert (4th from left), Gerard H. Brimo, chairman of the board of Nickel Asia and the board of directors of PMSEA (l to r): Ramon T. Santiago, Annie G. Dee, Angelita I. Lee, Luis R. Sarmiento, ASEAN Eng (incumbent PMSEA president and Apex Mining president and CEO), Atty Wilfredo G. Moncano, director of the Mines and Geosciences Bureau, Jeremias L. Dolino and Eulalio B. Austin, Jr (president and CEO, Philex Mining). The year's theme of the ANMSEC was Resilience. Reset. Recovery. Aside from the ANMSEC, PMSEA's pillar programs include the Pusong Minero (composed of emergency response team of mining companies who volunteer to do search and rescue missions during calamities) and the PMSEA Botanical Garden (a mini-garden within the Baguio Botanical Garden that currently has around 1,500 plants).



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Editor:
Jose V. Pineda

68TH ANNUAL NATIONAL MINE SAFETY AND ENVIRONMENT CONFERENCE



#MineResponsibility

Resilience. Reset. Recovery.

THE 68TH ANNUAL NATIONAL MINE SAFETY AND ENVIRONMENT CONFERENCE CALLS FOR A MORE ROBUST, RESPONSIBLE MINING INDUSTRY

For the first time in three years, the Annual National Mine Safety and Environment Conference (ANMSEC) was held once more in its familiar venue, Baguio City, gathering more than 4,000 stakeholders as mining continues to be a key industry eyed to jump-start the country's economic activity.

With the theme "Resilience. Reset. Recovery," the 68th ANMSEC pushed for a more robust and responsible mining industry. Held in November, the annual event has been gathering corporate leaders and mining engineers for the past 68 years to share environmentally-sound practices and new technologies.

Organized by the Philippine Mine Safety and Environment Association (PMSEA), the four-day conference also served as a reunion of sorts after the COVID-19 pandemic forced the event to be held in a virtual set-



Undersecretary Raymundo Ferrer of the National Disaster Risk Reduction and Management Council (NDRRMC) reads the keynote speech on behalf of the Department of National Defense-OIC Senior Usac. Jose C. Faustino.



Department of Environment and Natural Resources Secretary Maria Antonia Yulo-Loyzaga delivers her speech during the awards ceremony at the 68th Annual National Mine Safety and Environment Conference.

up. PMSEA is a volunteer organization that aims to advocate for the practice of responsible mining.

Mining is a huge industry, contributing one percent to

the country's gross domestic product through the years. With the presence of substantial mineral deposits in areas around the archipelago, it remains to be a bright prospect

for the government.

Despite the challenging economic situation the pandemic brought to the mining industry, various sector stakeholders continued their commitment

to keeping the trade alive and ticking.

The yearly event is held in cooperation with the Department of Environment and Natural Resources (DENR) and various organizations including the Philippine Society of Mining Engineers (PSME) and the Chamber of Mines of the Philippines.

The week-long face-to-face gatherings for this year's events were able to contribute around P75 million to the local economy, said PMSEA president Louie Sarmiento. This is thanks in large part to the number of companies that participated in the activities, including the annual Minerals Parade and the skills competition.

The more meaningful part of the event saw delegates attend the minerals industry symposium and the community relations



Luis R. Sarmiento, ASEAN Eng, Apex Mining president and CEO (seated, extreme left) poses with the men and women of Apex Mining and its subsidiary, Itogon-Suyoc Resources, Inc. at awards ceremony of the 2022 Presidential Mineral Industry Environmental Award (PMIEA), Best Mining Forest Contest (BMFC), and Safety Mines Award (SMA). Seated beside Sarmiento are Apex Mining's Uldarico Relente (Mine Division Manager), Engr. Antonio Aalis Jr (Safety Manager) and ISRI's Dr Eric S. Andal (Resident Manager) and Arvin Trinidad (Geologist).

Front row, seated on the stairs are: Ronnie Rojo (Safety Officer), Ritchie Ranjo (Safety Officer) Haiza Pigkulan, (Mine Planning Engineer II) Atty Florelyn Munoz (AVP, ISRI), Wilfredo Lanit, Jr (Mine Area Manager) and Jimar Dublin (UG Equipment Operator)

Standing at the back are: Marvin Badayos (Sr. UG Shift Supervisor) Marvin Balagot (ARM), Romeo Molano (Electrical Division Manager), Robert Wagtingan (Civil Works and Engineering Division Manager), Julio Ngolab (Mine Division Manager), Ferdinand Cabson (OIC Safety Manager), Hennis Toledo (Mechanical Division Manager).

APEX MINING WINS ACCOLADES AT ANNUAL MINING CONFERENCE

SWEEPS BEST MINES PERSONALITY AWARDS, AGAIN!

Apex Mining and its subsidiary, Itogon-Suyoc Resources (ISRI), won at the just-concluded 2022 Presidential Mineral Industry Environmental Award (PMIEA), Best Mining Forest Contest (BMFC), and Safety Mines Award (SMA). Apex Mining is the PMIEA Selection Committee Platinum Achievement Awardee in the underground mining operation category. It is also a runner-up in both the Safest Underground Mining Operation Award and the Saf-

est Mineral Processing - Extraction Category Award. Meanwhile, ISRI is the winner in the Safest Exploration, category B.

Apex Mining also repeated its grand slam feat in 2021 as the company wins in all categories of the Best Mines Personality Awards: Mr Richie P. Ranjo, best underground safety inspector; Mr Wilfredo R. Lanit, Jr, best underground mine supervisor; and, Mr. Jimar A. Dublin, best underground miner.



ISRI is the winner in the Safest Exploration, category B. In photo are (l to r): MGB Dir. Wilfredo Molano, ISRI's Arvin Trinidad (Geologist) Engr. Robert Wagtingan (Civil Works and Engineering Division Manager), Dr Eric S. Andal (Resident Manager) and PMSEA president Luis R. Sarmiento, ASEAN Eng



No less than DENR Secretary Maria Antonia Yulo-Loyzaga, together with PMSEA president, Luis R. Sarmiento, ASEAN Eng, presented the Mines Best Personalities Award. In photos, (left to right) Apex Mining's crime dea crime: Wilfredo R. Lanit, Jr., Amar A. Dublin, and Richie P. Ranjo.

APEX MINING AND ISRI SHORE UP CHAMPIONSHIPS AT THE MINE SAFETY FIELD COMPETITION



Fire extinguishing is an integral component of Apex Mining's safety protocols.



ISRI trumped all the other teams in the tug of peace competition.

The safety competitions are an exciting tradition of ANMSEC as mining companies laud the readiness and capabilities of their emergency response teams.

This year, both Apex Mining and ISRI recorded strong finishes in the various competitions:

First Aid Competition
1st Runner-up: Apex Mining Co., Inc.
2nd Runner-up: Itogon-Suyoc Resources, Inc.

Hand Mucking Competition
Champion: Itogon-Suyoc Resources, Inc. - Itogon District

Fire Brigade Competition
Champion: Apex Mining Co., Inc.

Machine Drilling Competition
Champion: Itogon-Suyoc Resources, Inc. - Itogon District

Fire Extinguishing Competition
2nd Runner-up: Apex Mining Co., Inc. - Masara

Tug-of-Peace Competition
Champion: Itogon-Suyoc Resources, Inc. - Itogon District



Hand mucking: shovelling muck into the mine car is a test of one's stamina and endurance.



Apex Mining tandem working in complementary precision in machine drilling.



PMSEA renews commitment to adopt portion at Baguio's Botanical Garden

THE AGREEMENT ALSO EXPANDS THE SCOPE OF THE GARDEN AREA FROM 5,000 SQ.M. TO 7,500 SQ.M.

To show its commitment to protecting the environment as much as it could, the Philippine Mine Safety and Environment Association (PMSEA) renewed its partnership with the local government of Baguio to continue to take care of a portion of its famed Botanical Garden.

The renewal of the agreement covers a period of three years, which would make the mining organization the caretaker of the PMSEA Garden for 15 years at the end of the current partnership in 2025.

More importantly, the new agreement expands the scope of the garden area from 5,000 sq.m. to 7,500 sq.m. Over the years, PMSEA has planted more than 1,500 plants and some 150 endemic ones within the portions of the adopted area under Baguio's Adopt-A-Park program.

Under the agreement, the PMSEA will continue maintaining the cleanliness, landscaping, and beautification of the area, as well as assisting the city in the preservation of the natural view of the park.

PMSEA is also expected to introduce and provide landscape materials, continue improvements and development projects, and ensure its accessibility to the public.

The MOA was sealed by Mayor Benjamin B. Magalona and PMSEA president Luis R. Sarmiento, ASEAN Eng. (3rd from left), and witnessed by select members of PMSEA's board of directors Annie Dee, Angelita Lea and Renato Baja, and Engr. Marcial Matzo (chief science research specialist of the Mine Safety, Environment and Social Development Division) of the Mines and Geosciences Bureau. To date, the PMSEA has planted more than 1,500 trees and some 150 endemic plants within the portions of the adopted area under the Adopt-A-Park program of Baguio.



The city government of Baguio and the PMSEA entered into a memorandum of agreement for the extension for another three years and the expansion of the area of the PMSEA Park located within the Baguio Botanical Garden. The MOA was signed by Baguio City Mayor Benjamin B. Magalona (in photo, 3rd from right) and PMSEA president Luis R. Sarmiento, ASEAN Eng. (3rd from left), and witnessed by select members of PMSEA's board of directors Annie Dee, Angelita Lea and Renato Baja, and Engr. Marcial Matzo (chief science research specialist of the Mine Safety, Environment and Social Development Division) of the Mines and Geosciences Bureau. To date, the PMSEA has planted more than 1,500 trees and some 150 endemic plants within the portions of the adopted area under the Adopt-A-Park program of Baguio.



A garden within a garden: the PMSEA Botanical Garden is located inside the Baguio Botanical Garden.

ment officer Rhenan Diwaa, and members of the PMSEA Board of Directors. For his part, the mayor expressed his gratitude to the organization for helping in improving the Botanical Garden, which he hopes can be replicat-



ed in other city parks very soon. This Christmas, the Baguio Botanical Garden is expected to attract more visitors as it transforms into a Christmas village at night during the holiday season. The garden's "Christmas Around the World" display is open to the public from 8 p.m. until midnight. Aside from light displays, there will also be performances to complement the Christ-

RESILIENCE. RESET. RECOVERY.

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conference, which were meant to enhance the participants' knowledge and skills in responsible mining.

Aside from the conference, the annual exhibit also featured a Mining Night, a Minerals Industry Parade, a Mine Safety Field Demonstration and Field Competition, and the Annual Awards Night. There were also sports competitions, including ones for badminton, bowling, lawn tennis, and golf.

During the event, Sarmiento assured the mining industry stakeholders that the PMSEA will continue to introduce appropriate innovations that will surce more participants to join the annual gatherings moving forward.

Held every year since the 1990s, the ANMSEC advocates for the practice of occupational health and safety, sound environmental management, and social development among mining companies operating in the country.

PMSEA also reinforced its commitment to enhancing the PMSEA Park located in the Baguio Botanical Garden (more on this in a related article) through a memorandum of agreement with the local government.



The mining exhibit (with some 177 booths) of the 68th ANMSEC opened last Nov. 15 at the CAP-John Hay Trade & Cultural Center with special guest, Department of Tourism-CAR regional director Jovita Addamag Ganongan.



COLORS GALORE AT THE STREET PARADE!



The street parade on the 4th day of the 68th ANMSEC was equal parts camaraderie and competition with the Mine Safety Field Competition featuring six events: first aid, fire brigade, fire extinguishing, hand mucking, machine drilling, and tug-of-war.



Around 2,800 people joined the parade down Session Road all the way to the Melvin Jones Grandstand. Participants included 10 associations, six schools, the 16 regional offices of the Mines and Geosciences Bureau and 67 companies.



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SOUTH AFRICAN AND PHILIPPINE MINING INDUSTRIES FACE SIMILAR CHALLENGES, ENVOY SAYS

When it comes to the state of the mining industry, the Philippines and South Africa have a lot more in common than what meets the eye. Both the mineral-rich nations share similar issues and concerns in the mining industry that warrant the implementation of common strategies to sustain the vibrancy of the sector in the long run.

This is what South African Ambassador to the Philippines Bertinah Ntombizodwa Radebe-Netshitenzhe highlighted during her talk at the 68th Annual Mine Safety and Environment Conference held at the CAP Cultural and Trade Center in Camp John Hay (CJH), where she was a guest of honor and speaker.

Speaking to over 1,000 mining stakeholders, Netshitenzhe said that mining is one of South Africa's major economic drivers, having

contributed double digits to the nation's gross domestic product (GDP). In the post-pandemic world, the mining industry's contribution grew by more than 8 percent compared to the first semester of 2022.

South Africa is one of the world's most important miners of platinum, diamonds, gold, coal, manganese, lithium, and uranium.

However, numerous social, environmental, and political is-

ssues continue to bound South Africa's mining industry. This includes small-scale mining, which is similar to the problems encountered in the Philippines. The challenge is for the government to try to regulate the operations of small-scale miners so that the income will go to the coffers of the nation.

The South African government and the mining companies, she said, are working

together to ensure that the impacts of climate change will be effectively and efficiently mitigated through community-based environmental preservation and protection endeavors in partnership with the communities.

While mine-related fatalities in South Africa remain higher than desirable, Netshitenzhe said the figure is down by 39 percent during the first



South African Ambassador to the Philippines Bertinah Ntombizodwa Radebe-Netshitenzhe confers with mining industry stalwarts.

semester of this year compared to the same period the year before. These also mostly came from illegal mining activities.

Like the Philippines, South Africa is also pushing for responsible mining among the

operating mining companies, the ambassador said. This makes sure that the contribution of mining to the overall growth and development of the country can be enjoyed for many more years to come.



South African Ambassador to the Philippines Bertinah Ntombizodwa Radebe-Netshitenzhe



A NUGGET OF ANMSEC HISTORY

The Norfolk tree on Session Road was planted by PMSEA president Louie Sarmiento on Nov. 14, 2009 and the heirs of the late Baguio city mayor, the Hon. Alfonso A. Tabora, (represented by then councilor Tony Boy Tabora) to commemorate both the Mine Safety and Environment Week and the centennial year of Baguio. Since then, the Norfolk tree is rejuvenated every year, as part of the activities of ANMSEC.



Caring for the Environment at Nickel Asia Corporation



This is why we are ASEAN's best: a reforestation project at Rio Tuba Nickel Mining Corporation

RTNMC is a subsidiary of Nickel Asia Corporation and is a member of the Chamber of Mines of the Philippines

RIO TUBA NICKEL MINING CORPORATION
Rio Tuba, Benguet, Philippines

Reforested Area

TAGANITO MINING CORPORATION
Taganito, Benguet, Philippines

Ongoing Rehabilitation of a Mined Out Area

CAGDIANAO MINING CORPORATION
Cagdianao, Province of Davao del Norte

Rehabilitation Area 1

HINATUAN MINING CORPORATION
Hinatuan, Sulu, Philippines

Mangrove Reforestation



IN CLAVER, MINING AND ECO-TOURISM CO-EXIST IN PERFECT HARMONY

Mining and eco-tourism can coexist.

This is true even in towns with abundant mineral resources, such as Claver in Surigao del Norte. Over the years, its local administration has defied the widespread misconception that the extraction and development of natural resources harm the environment.

Mining has been the municipality's primary source of income for years, helping Claver advance from a sixth-class local government unit in 2001 to a second-class municipality recently.

Further putting to rest misguided beliefs, Claver was also awarded the coveted Seal of Good Local Governance (SGLG) in 2016, 2017, and 2021, thanks in part to its excellent efforts in preserving and protecting its natural environment.

A major tourist attraction in the municipality is an islet that also serves as a potential world-class dive site near a marine protected area and a mine site, according to Claver Mayor Georgina Gokiangkee.

Speaking at the Community Relations Conference of the Philippine Mine Safety



Mayor Georgina Gokiangkee serves as one of the resource persons.

and Environment Association (PMSEA), held recently in Baguio City, Gokiangkee emphasized that Claver only supports responsible mining.

After all, Claver is also known for its pristine, white-sand beaches located near



PMSEA president Lula R. Sarmiento, Claver Mayor Georgina Gokiangkee, and Ambassador Delia Albert.

nickel mine sites, which seems to contradict the common perception that mining activities pollute the land and bodies of water within its areas of operation.

Under the local government's environment code, mining companies are mandated to adopt and maintain marine protected areas to help sustain the good state of the environment within the locality, aside from their contributions to reforestation and other environmental preservation and protection programs of the government.

Because of the significant increase in the town's local revenues triggered by the operation of three nickel mines and a mineral processing plant, Gokiangkee said that they have not been dependent on its Internal Revenue Allotment (IRA) from the national government.

Its locally generated revenues are roughly three times higher (P600 million) than what it gets from the national government (P200 million). This means that residents receive more benefits from the LGU.

Gokiangkee said that her administration made sure that mining companies supported their host communities by investing in the basic needs of people and helping to promote sustainable sources of livelihood.

This is important for Claver, especially because four out of the 14 barangays in town are mining areas. Gokiangkee reiterated that they are working closely with mining companies to ensure that the status of the soil in the said mining areas improves enough to be able to grow agricultural products.

Claver also passed appropriate legislation, such as the town's environment code, revenue code, and investment code, to synchronize the efforts of the local government toward sustained progress in the municipality.



No less than DENR Secretary Maria Antonia Yulo-Loyzaga awarded the winners of the Mine's Best Personalities Award. In photo, is Rachel B. Pingkian of TVIRD-Balabog, winner of best mine supervisor in the surface category.



PMSEA president Lula R. Sarmiento, DENR Secretary Maria Antonia Yulo-Loyzaga, and Mines and Geosciences Bureau Director Wilfredo G. Moncano.

2022 PRESIDENTIAL MINERAL INDUSTRY ENVIRONMENTAL AWARD

Category	Company	Award
Underground Mining Operation	Apex Mining Company, Inc.	PLATINUM
	CIP Construction and Mining Corporation - Bulacan Nickel Project	PMSEA
	Ermita Minerals, Inc.	PMSEA
	Philippine Nickel Metals Corporation - Mount Apo Nickel Mine	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PMSEA
Surface Mining Operation	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
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	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	PLATINUM
Quarry Operation	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
	Republic Cement & Building Materials, Inc. - Batangas	PMSEA
Mineral Processing Plant	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM
	Phil. Gold Processing & Refining Corp.	PLATINUM

2022 MINES' BEST PERSONALITIES

Best Personality Category	Name	Company
Surface Miner	Larry O. Pucoria	Platinum Group Metals Corp.
Surface Safety Inspector	Edwin G. Lomera	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project
Surface Mine Supervisor	Rafael B. Pingkian	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project
Underground Safety Inspector	Edwin G. Lomera	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project
Underground Mine Supervisor	Edwin G. Lomera	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project
Underground Miner	Edwin G. Lomera	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project

2022 SAFEST MINES AWARDS

Category	Company	Ranking
Best Underground Mining Operation Category	Apex Mining Company, Inc.	Winner
Best Surface Mining Operation Category	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	Winner
Best Quarry Operation Category	Republic Cement & Building Materials, Inc. - Batangas	Winner
Best Mineral Exploration Category	Ermita Minerals, Inc.	Winner
Best Mineral Exploration - Category B	Philippine Nickel Metals Corporation	Winner
Best Mineral Processing - Flotation Category	Apex Mining Company, Inc.	Winner
Best Mineral Processing - Concentration Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Crushing Plant Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Grinding Plant Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Dressing Plant Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Beneficiation Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Refining Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Smelting Category	Phil. Gold Processing & Refining Corp.	Winner
Best Mineral Processing - Other Category	Phil. Gold Processing & Refining Corp.	Winner

2022 BEST MINING FOREST CONTEST WINNERS

Category	Company	Ranking
Mitigation Operation	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	1st Runner-up
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	2nd Runner-up
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	3rd Runner-up
Re-forestation Operation	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	1st Runner-up
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	2nd Runner-up
	TVR Resources Development Phs., Inc. - Balabog Gold Silver Project	3rd Runner-up
Mineral Processing Plant	Phil. Gold Processing & Refining Corp.	1st Runner-up
	Phil. Gold Processing & Refining Corp.	2nd Runner-up
	Phil. Gold Processing & Refining Corp.	3rd Runner-up
Exploration	Ermita Minerals, Inc.	1st Runner-up
	Ermita Minerals, Inc.	2nd Runner-up
	Ermita Minerals, Inc.	3rd Runner-up



From a social perspective

TVIRD is confident that its chosen roadmap for the future is the right one. Its social programs have been crafted in consultation with its beneficiaries to help both parties navigate the future together.

From an environmental perspective, mining is not forever

That is why programs were put in place—with the end in mind. The future success of TVIRD's programs is a testament that there is life after mining.





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Bilibid digging a case of illegal quarrying

BY ASHZEL HACHERO

INMATES at the New Bilibid Prison (NBP) complex in Muntinlupa City have been engaged in illegal quarrying. Corrections acting chief Gregorio Catapang said yesterday quoting a report of the Department of Environment and Natural Resources (DENR).

Catapang said charges are being readied by the Bureau of Corrections (BuCor) against those behind the unauthorized excavation.

"I will submit a final report to the secretary of Justice that the DENR has declared that this is a case of illegal quarrying, and we will file complaints or cases against those who extracted it or who authorized the extraction of this," Catapang told radio DZBB.

The BuCor is an attached agency of the DOJ.

Asked if suspended BuCor chief Gerald Bantag will be charged, Catapang said it is possible he would be included in the complaints.

"Puwede po siya makasuhan. Anyway, inadmit naman nila na hinukay talaga nila 'yan kaya kilala natin sino ang sasampahan ng kaso (He can be charged. Anyway, they have already admitted they were behind the excavation that's why we knew who would be included in the complaints)," he said.

Bantag earlier said no government funds was used for the excavation but was supposedly

BILIBID

funded by the Agua Tierra Oro Mina Development Corporation (ATOM).

The excavation, Bantag has said, was made for the construction of a swimming pool which will be used for a scuba diving and water search and rescue training for BuCor personnel.

The excavation covered an area of around four hectares, with the deepest part about 30 meters in height.

Bantag said BuCor entered into a joint venture agreement with ATOM under which the latter would donate 234 hectares of its land in Nueva Ecija to the agency and put up buildings to house the NBP's over 28,000 inmates.

In return, BuCor will give ATOM the right to develop the

NBP reservation area into a residential, commercial, and industrial area.

The BuCor headquarters and the NBP maximum, medium, and minimum prison facilities currently occupy around 254 hectares of the complex, while another 190 hectares is being utilized for social housing projects of BuCor and DOJ employees and the Muntinlupa City government. The rest are used for BuCor-supervised farms or are occupied by informal settlers.

However, Justice Secretary Jesus Crispin Remulla said Bantag previously told him the digging was meant to look for the alleged Yamashita treasure, which has been denied by the latter.

Remulla's predecessor and now Solicitor General Menardo Guevarra said he was not informed of the project.

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DENR idineklarang illegal quarrying ang paghuhukay sa loob ng BuCor

INANUNSYO nitong Huwebes ng Department of Environment and Natural Resources ang paghuhukay sa New Bilibid Prison (NBP) na illegal quarrying.

Sinabi ni Bureau of Corrections (BuCor) officer-in-charge Gregorio Catapang, nakatakda na silang magsampa ng kaso laban sa mga responsible rito.

Ayon kay Catapang,

magsusumite na ito ng final report kay Department of Justice Secretary Jesus Crispin Remulla na ang aktibidad ay illegal quarrying at maghahain sila ng mga reklamo laban sa mga sangkot dito.

May mga umamin naman umanong hinukay nila ang naturang lugar at kilala raw nila kung kanino nila ifa-file ang kaso.

Una nang pinanindigan ni suspended BuCor chief Gerald Bantag had na ang paghuhukay sa NBP compound ay para sa scuba diving pool na pinondohan ng Agua Tierra Oro Mina Development (ATOM) Corporation.

Sinabi naman ni ATOM president Virgilio Bote na nag-withdraw na ito sa naturang deal na pinasok nila noong panahon ng panunungkulan ni Bantag.

Posible naman umanong masampahan ng reklamo si Bantag dahil sa paghuhukay sa compound ng NBP.

Samantala, sinabi naman ni Justice Secretary Jesus Crispin Remulla na personal na sinabi sa kanya ni Bantag na hinuhukay ang area dahil sa Yamashita treasure.



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8 LGUs cited for Manila Bay rehab, preservation

INTERIOR and Local Government Secretary Benjamin "Benhur" Abalos Jr. recognized eight localities for their outstanding contribution in the ambitious Manila Bay rehabilitation, preservation and protection as well as its compliance with the country's fisheries code.

In conferring these local government units (LGUs) with the prestigious MANILA BAYani Awards and Incentives (MBAI), Abalos told the recipients that "there's more to be done especially in the face of climate change."

"As we face the threat of climate change, we need more LGUs to step up and hold hands with us in this advocacy. This pandemic has really given us a silver lining. If there is one thing I would

say, it is the importance of making peace with nature. While we have made strides in this development, what is important is we have this goal of balancing development with ecology," he added.

Among the MBAI awardees for 2018 to 2020 are Baliuag (Bulacan), Kailayaan (Laguna), and Magallanes (Cavite) for the Municipal category, while Balanga (Bataan), Biñan (Laguna), Imus (Cavite), Makati City, and City of Navotas bagged the award for the City category.

For the year 2021, the LGUs of Biñan and Kailayaan (Laguna), Baliuag (Bulacan), and Balanga (Bataan) were recognized anew for the MBAI Award.

MBAI awardees shall receive cash incentives of up to P1.5-million which can be used for financing

programs, projects, and activities (PFAs) serving to increase the compliance of the LGUs with the Manila Bay Clean-up, Rehabilitation, and Preservation Program (MBCRPP) and for service payments.

The MBAI Award aims to incentivize LGUs and recognize their exemplary performance in advancing effective waste management, uplifting the welfare, safety, and living conditions of informal settler families and the general public, promoting the protection of coastal and marine resources, and strengthening their institutional mechanisms, all of which contribute to the rehabilitation and protection of Manila Bay.

Abalos cited the significant gains in improving the water quality of Manila Bay, particularly the fecal coliform level indicating its level of contamination from sewage from 92 million most probable number per 100 millimeters (mpn/100ml) fecal coliform level in the Manila Bay waters in 2019, it decreased to only 1.8 million mpn/100ml as of June 2022.

Joel dela Torre



STRATEGIC
COMMUNICATION
AND
INITIATIVES
SERVICE

THE EXPONENT OF PHILIPPINE PROGRESS
SINCE 1900
MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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Economic boom seen



EU-ASEAN SUMMIT — European Council President Charles Michel (left) stands next to Republic of the Philippines' President Ferdinand R. Marcos Jr. (center) shaking hands with President of the European Commission Ursula von der Leyen (right) with EU and ASEAN flags in the background as they attend the EU-ASEAN Summit at the European Council headquarters in Brussels on Dec. 14, 2022. EU leaders met their counterparts from Southeast Asia for the summit in Brussels on Wednesday, looking to bolster ties in the face of the war in Ukraine and challenges from China. (AFP)



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Economic boom seen

sat down with European companies Unilever, Ocea, Acciona, and SEMMARIS to discuss current investments and expansion plans in the Philippines, Malacañang said on Thursday, Dec. 15.

₱4.7-B Unilever investment

Multinational consumer goods company Unilever committed ₱4.7-billion investment as it gears toward automating and digitalizing its operations in the country.

Unilever officials, led by its global business group president Matt Close, said the multibillion-peso investment shows the company's commitment to the Philippines, which they consider one of Unilever's most important locations for investments.

President Marcos thanked the company for its strong commitment to the Philippines, saying that over the years, it's good to see that Unilever is continuing with that trend.

₱1.5-B shipyard dev't

In a separate meeting, French shipbuilding firm OCEA S.A. renewed its commitment to its planned ₱1.5-billion shipyard development in the country.

According to the French firm, the planned investment will create 500 to 600 direct and indirect jobs in the Philippines. It plans to build 15 to 120-meter boats for several markets—maritime safety and security, transportation, and fisheries.

OCEA committed to work with the Bureau of Fisheries and Aquatic Resources (BFAR) to carry out a project aimed at assisting Filipino fisherfolk in enhancing their operations and promote sustainable fishing.

Renewable energy

Acciona, another global group that develops and manages sustainable infrastructure solutions, vowed to invest in the country's renewable energy sector. This is timely as it coincides with the lifting of the 40 percent equity cap for foreign firms in renewable energy projects, particularly those for the solar and offshore wind sectors.

Acciona officials, led by its chairman Jose Manuel Entrecanales, are also looking at making Manila as its main hub in the Southeast Asian region.

Agro-logistics at Clark

French firm SEMMARIS expressed its intention to develop agro-logistics in New Clark City by building a wholesale market for fresh products, with an organized and efficient food supply and value chain.

Benoit Juster, SEMMARIS executive director, said the hub also seeks to promote local production with fair prices to farmers and lower prices for consumers, to improve logistics, and to decrease traffic congestion in Manila.

He believes the agro-logistics hub would also boost cooperation with Manila regarding food safety and security.

A relatively new interdisciplinary field in the agricultural sector, agro-logistics includes the management of supply chains of agricultural products and raw materials from production to delivery to the consumer.

It aims to combine agricultural production, marketing, management, and logistics.

Juster said the company has already jumpstarted the work in Clark.

"In Clark, we have carried out feasibility studies, so we have a masterplan, we have the estimation of the cost of the works. And so, we can start quickly in Clark," he shared.

The hub would guarantee food safety and security for Filipinos.

"The hub also seeks to promote local production with fair prices to farmers and lower prices for consumers, improve logistics and decrease traffic congestion in Manila," Juster said.

For Marcos, the hub has the potential to "serve as a facility that will link buyers and sellers of food/agri-products both locally and in the Southeast Asian region."

SEMMARIS is a semi-public company managing the Rungis International Market, the principal market of Paris

Investment-friendly policies

"I think that we have a good opportunity with some of the policy measures that have been taken from the previous administration and some of the policy changes that we have made at the beginning of this administration," Marcos said.

The legislations and policy decisions the President was referring to include the Corporate Recovery and Tax Incentives for Enterprises (CREATE) Law, which allows companies to

provide competitive incentives.

Another measure is the removal of foreign ownership restrictions on undertakings aimed at harnessing renewable sources of energy that had been previously been capped at 40 percent.

Marcos said forging strong partnerships is one of the centerpieces of the administration's policies, focusing more on public-private partnerships (PPPs), joint ventures, and all kinds of tie-ups to encourage investment in the Philippines.

Marcos lauded

European businessmen were impressed with President Marcos' for "soldiering on" the summit between the EU-ASEAN summits.

Florian Gottein, executive director of the European Chamber of Commerce in the Philippines (ECCP), said European businessmen commended Marcos, who described the summit as a "much-needed dialogue" between the two regional blocs and acknowledged the importance of the EU as a trade and investment partner to ASEAN.

"European business leaders reacted very positively on President Ferdinand Marcos Jr.'s speech during a C-Suite Luncheon with European Business Leaders before the 10th EU-ASEAN Business Summit in which he called for more European investments in the Philippines as well as asked for more support from Europe on climate action issues," Gottein said in a statement.

ECCP is a bilateral foreign chamber that promotes European interests in the Philippines as well as Philippine interests in Europe.

Trade Undersecretary Ceferino Rodolfo said top European leaders were impressed that the President "valiantly and heroically soldiered on."

"Hindi po nanggagaling sa atin 'to, pero galing mismo doon sa mga (This did not come from us but from the) European businessmen. They were very impressed because the President valiantly and heroically soldiered on," Rodolfo said.

"Lahat po ng mga meeting niya with the businessmen, pinuntahan niya ho kahit ho wala na siyang boses, talagang pinilit niya ho mabigay yung mensahe niya (He attended all the meetings with businessmen despite losing his voice). Sabi niya (He said), the messages have to come from me as the President of the Philippines, inviting the investors," Rodolfo added.

In his speech, Marcos said the EU-

ASEAN Business Council continues to "play a crucial role" in advancing ASEAN's regional economic integration and post-pandemic economic recovery efforts.

"We do this through its initiatives and valuable insights, which have been useful towards the prioritization of initiatives targeting the ASEAN's regional economic integration. Through the EU-ASEAN Trade and Investment Work Program we hope to continue this momentum for 2023 and beyond," he said.

The chief executive also expressed his appreciation to the EU-ASEAN Business Council for its continued support and engagement to ASEAN, from the sectoral bodies up to the leaders' level.

"With the participation of ASEAN members in mega trade deals such as the Regional Comprehensive Economic Partnership (RCEP) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), we are well-positioned to accelerate intra-regional trade and growth," said Marcos.

Progress toward connectivity

Meanwhile, President Marcos described the recent milestones achieved by the ASEAN and EU as a "clear step forward to promote connectivity."

Malacañang said the President made this remark when he delivered a speech as country coordinator of the EU-ASEAN Commemorative Summit.

He said this year marked several milestones between the two regional blocs, citing the adoption of the plan of action to implement the EU-ASEAN Strategic Partnership for 2023-2027 in August.

"We have also signed the world's first bloc-to-bloc air services agreement, the EU-ASEAN Comprehensive Air Transport Agreement, in October," he noted.

The chief executive said both milestones are "clear commitments from both sides, an active partnership for the post-Covid economic recovery of our region."

Marcos also cited the continued strengthening of cooperation between the two regions during the pandemic through the following mechanisms:

- ASEAN Regional Integration Support from the EU Plus (ARISE+)
- EU Support to Higher Education in ASEAN Region (EU SHARE)

- Enhanced Regional EU-ASEAN Dialogue Instrument (E-READI)
- EU-ASEAN Cooperation on Sustainable Use of Peatland and Haze Mitigation (SUPA)
- Biodiversity Conservation and Management of Protected Areas in ASEAN (BCAMP)
- Integrated Program in Enhancing the Capacity of AHA Center and ASEAN Emergency Response Mechanism (EU Support to AHA Center)
- EU-ASEAN Migration and Border Management Program Phase II

"We appreciate the EU, the EU member states, and the EU financial institutions—in short Team Europe—for the combined response of over EUR 800 million to fight the health, social, and economic impact of the coronavirus pandemic in ASEAN," the President said.

Marcos further said the Summit "imbued all of us as ASEAN and EU leaders alike with a sense of renewed commitment to continue nurturing and expanding our unique EU-ASEAN partnership" in various areas amid "the myriad challenges."

I am particularly pleased this landmark EU-ASEAN Commemorative Summit was shepherded to conclusion at a time when the Philippines served as country coordinator for EU-ASEAN Dialogue Relations and that the adopted ASEAN-EU Joint Leaders' Statement is reflective of the broad nature of our relations and shows clear commitments from both sides to further enhance our relations, he said.

Marcos also took great pride in the Philippines' role as coordinator for the EU-ASEAN dialog relations as the two blocs mark 45 years of enduring partnership.

He thanked all the ASEAN and EU member states for their support and cooperation "as we chart new paths to further strengthen our partnership."

"As coordinator of our relations from 2022 to 2024, I assure you of the Philippines' continuing efforts to sustain successful and vibrant relations between our regions, and as always the case, we are stronger together than we are alone," the President said.

He also expressed hopes the EU and ASEAN can achieve more milestones as the Philippines continues to guide the EU-ASEAN Dialogue Relations until 2024. (With a report from Raymond F. Antonio)



Developing nations demand more money at UN biodiversity talks

THE thorny issue of how much money wealthy countries are willing to pony up to protect the world's remaining biodiversity took center stage Wednesday (Thursday in Manila) at UN talks in Montreal aimed at creating a "peace pact with nature."

At stake is the future of the planet and whether humanity can roll back habitat destruction, pollution, and the climate crisis, which are driving the sixth mass extinction of plant and animal species.

Negotiators worked late into the night Tuesday, but "the atmosphere deteriorated when the group started discussing concepts, in particular the global biodiversity fund (GBF) proposal," said UN spokesman David Ainsworth, leading to a walkout by developing nations.

The GBF is a new financial instrument sought by low-income nations to help them, for example, establish marine or terrestrial protected areas and implement biodiversity action plans.

A long pause in technical talks on other items was resolved after China, the chair, held an hours-long meeting of the heads of delegations Wednesday, though the finance issue isn't yet settled.

"Our territories are home to most of the biological diversity of the world," said a statement by Brazil, which added existing financing mechanisms were not up to the task.

Brazil, which also spoke on behalf of some other developing countries, including the African Group, added that the new fund should provide \$100 billion yearly, or one percent of global GDP, until 2030.

Financial flows from the Global North to South for biodiversity are currently estimated at around \$10 billion annually.

Wealthy nations say they would rather reform existing financial mechanisms and leverage more private-sector funding.

The deterioration in dialogue came on the eve of the high-level phase of negotiations involving the environment ministers of the 196 members at the Montreal summit, called COP15, which began on December 7 and is set to run to December 19.

"The walkout that happened last night is a signal of a pivotal moment in the negotiations that we needed," Masha Kalinina of The Pew Charitable Trusts told Agence France-Presse (AFP).

"It draws important attention to this negotia-

tion, especially as the leaders are arriving today and tomorrow. So we are waiting with bated breath."

Brian O'Donnell, director of the Campaign for Nature, told reporters: "If we want to find a source for increased finance for biodiversity, it's simple: let's place a windfall tax on those companies that have driven biodiversity loss — primarily the oil and gas companies and the mining companies."

"Have you no shame?"

The talks have more than 20 targets, including a cornerstone pledge to protect 30 percent of the world's land and seas by 2030, eliminating harmful fishing and agriculture subsidies, tackling invasive species, and reducing pesticides.

Science shows that time is running out.

An estimated million species are threatened

with extinction, a third of the world's landmass is degraded, comprising the productivity of soil, while pollution and the climate crisis are destroying marine ecosystems.

Beyond the moral implications, there is the question of self-interest: \$44 trillion of economic value generation — more than half the world's total GDP — is dependent on nature and its services.

But the summit has failed to garner the same level of attention as a UN climate summit held in Egypt in November, which brought together more than a hundred world leaders.

The meeting is being held in Canada but chaired by China, which declined to host because of its strict Covid rules.

The only world leader in attendance is Canada's Prime Minister Justin Trudeau. **AFP**



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PBBM sa EU: Suporta sa ASEAN Centre for Biodiversity ipagpatuloy

HINIKAYAT ni Pangulong Ferdinand R. Marcos Jr. ang European Union member states na palawigin ang pagsuporta sa Association of Southeast Asian Nations Centre for Biodiversity.

Tinukoy ng Pangulong kung paano ang Southeast Asia ay 'globally considered' bilang isa sa 'most vulnerable regions sa climate change.

Inihayag ng Pangulo ang kanyang panawagan sa kanyang opening remarks bilang country coordinator ng ASEAN-EU Commemorative Summit sa Brussels.

"We are currently losing huge chunks of our natural resources at a rate difficult to repair and impossible to replenish in our lifetime. The ACB's work is vital in preserving and growing ASEAN's rich natural heritage which serves as a main pillar of our culture and our economy," ayon kay Pangulong Marcos.

Ang ACB, nakabase sa Los Baños, Laguna, ay isang intergovernmental organization na siyang nangangasiwa para pabilisin ang kooperasyon at koordinasyon ng 10 ASEAN member states at international organizations pagdating sa "conservation at sustainable use" ng biological diversity."

Hangad naman ng Pangulo ang pagpapanday ng closer maritime cooperation sa pagitan ng ASEAN at EU base sa "intersection of priority areas between the ASEAN Outlook on the Indo-Pacific and the EU Strategy for Cooperation in the Indo-Pacific, underpinned by ASEAN Centrality."

Humirit naman ang Pangulo ng closer bloc-to-bloc relations, lalo na "at this time of economic recovery from the ravages caused by the pandemic and the current threats on the supply chain."

Umaasa naman ang Punong Ehekutibo na makita ang panukalang Philippine-EU

Free Trade Agreement na maisulong matapos ang negosasyon sa lalong madaling panahon.

Sa idinaos na ASEAN-EU working luncheon kasama ang EU leaders at businessmen, nanawagan si Pangulong Marcos para sa "more progress" sa pangako ng mayayamang bansa na mag-set up ng "loss and damage" fund para suportahan ang mga poorer countries na nakararanas ng matinding epekto ng climate change."

Kinilala naman ng Pangulo ang kasunduan ng 200 bansa sa 27th session of the Conference of the Parties (COP 27) sa United Nations Framework Convention on Climate Change (UNFCCC), na naglalayong lumikha ng funding mechanism para magcompensate ang mga vulnerable nations para sa "loss and damage" mula sa climate-related disasters.

Subalit giit ng Pangulo na maraming tanong ang nana-

natiing walang sagot.

Paulit-ulit namang ginagarantiya ng Pangulo na ang "Philippines' resiliency and adaptation to the "new normals" of climate change are on top of his administration's national agenda."

Samanalala, ang Pilipinas ay ASEAN-EU country coordinator simula pa noong 2021 at maranatili sa tungkulin hanggang 2024.

KRIS JOSE



Nickel Asia bats for biodiversity assessment, ecological protection



NAC's dedicated environmentalists, representing the mining corporation's subsidiaries, flashing the "OneNAC" sign

NICKEL Asia Corp. (NAC) Environmental teams, with representatives from all of its subsidiaries, got together for the first time as a group in Surigao del Norte to map their corporate direction for 2023 and to dissect and absorb the new environmental law issued by the Department of Environment and Natural Resources (DENR) early this year.

The Department Administrative Order (DAO 2022-04) issued last March mandates all mining companies to incorporate the principles and processes of biodiversity assessment and ecological protection right before the start of actual mining operation and not only during rehabilitation proceedings that continue

up to end of mine life.

What is common understanding is that biodiversity assessment and environmental safeguards happen only during progressive rehabilitation when intensive mining operations begin.

The new DAO ensures that all adequate measures for responsible mining towards biodiversity conservation and protection get focused as early as during planning.

Engr. Remedios Collado-Camo, NAC AVP for Industrial Safety/OIC, Environment Sector, notes that one very interesting provision in the DAO is the mandate to establish a "Reference Ecosystem," which, according to the law, is "the original state of the ecosystem during pre-mining status that will serve as the

guiding image or model for ecosystem restoration or rehabilitation".

Camo explains that the "Reference Ecosystem" is a small part of land duly preserved to represent how the area looked like before mining disturbance. This piece of land referred to as "Reference Ecosystem" will then become the guide and the pattern to follow on how to responsibly rehabilitate the land after mining as ordered by law.

"It is no longer about just to beautify mined-out areas after mining but to restore the land to its original form and the DAO will guide us on how to effectively do our job to achieve that state," furthers Camo.

The new DAO will put emphasis on the protection and conservation of native and endemic species, maximizing its potentials, to efficiently bring back the forest, as close as possible, to its original form after mining.

Camo says the DAO will help streamline all that the Environmental Groups at NAC have been doing since the beginning and the processes will now be more effective and appreciated because DENR now has provided a detailed guide on biodiversity assessment, protection and sustainability.

Camo adds that she is committed to help navigate her entire team through this new DENR biodiversity assessment which, she says, is the backbone of all of NAC's operations and the core of the mining company's business processes and strategies. The mantra of responsible mining is bringing back what were disturbed to its original condition, or even better.

"As our President and CEO, Dennis Zamora, always says - it is not mining if it's not responsible," Camo relays.



SC rules gov't loan for Kaliwa Dam legal

By Rey E. Requejo

THE Supreme Court has declared as "valid and not unconstitutional" the controversial \$62.08 million and the \$211.21 million loans secured by the Philippine government from the Export-Import Bank of China in 2018 to bankroll, respectively, the construction of the Chico River Pump Irrigation project and the Kaliwa Dam project.

"The Loan Agreements have suf-

ficiently complied with the applicable procurement laws and conform with the pertinent provisions of the Constitution," the SC held, in ruling for the validity and constitutionality of the two projects.

"Wherefore, the consolidated petitions for prohibition in G.R. Nos. 245981 and 246594 are denied. The Court declares valid and not unconstitutional the Preferential Buyer's Credit Loan

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Agreement on The Chico River Pump Irrigation Project and the Preferential Buyer's Credit Loan Agreement on The New Centennial Water Source-Kaliwa Dam Project," the SC declared in the decision penned by Associate Justice Jhosep Y. Lopez.

The SC resolved to dismiss the petitions filed by the then Makabayan Bloc in Congress composed of Neri J. Colmenares, Carlos Isagani T. Zarate, Ariel B. Casilao, Emerenciana A. De Jesus, Arlene D. Brosas, Sarah Jane I. Elago, Danilo H. Ramos and Elma A. Tuazon.

Named respondents were former government officials led by then President Rodrigo R. Duterte, who was deleted as respondent in the petitions on account of his presidential immunity from suit, and then Executive Secretary Salvador C. Medialdea.

Colmenares and other petitioners argued that the assailed loan agreements were invalid for violations of various constitutional mandates particularly the failure to secure the needed Monetary Board concurrence, in bypassing qualified Filipinos in favor of foreign project contractors, and for containing stipulations that defeat the State's pursuit of an independent foreign policy.

The \$62.08 million loan for the Chico River Irrigation project was executed on April 10, 2018 between EXIM Bank and the Philippine government through the Department of Finance. Through Resolution No. 813 dated May 17, 2018, the MB gave its final approval to the loan agreement. *(See full story online at manilastandard.net)*



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Chinese loan deals for river, dam projects legal - SC

By NEIL JAYSON SERVALLOS

The P15-billion loan agreements between the Philippine government and a Chinese bank to finance the Chico River Pump Irrigation and Kaliwa Dam projects have been declared "valid and not unconstitutional" by the Supreme

Court.

In a decision released last Dec. 9, the SC said the twin petitions filed by the Makabayan bloc in 2019 failed to present compelling issues that might have convinced the high court to nullify the CRPIP (Chico River) and NCWS (Kaliwa Dam).

"In view of the foregoing disquisitions, petitioners have failed to present any compelling issue to warrant the nullification of the CRPIP and NCWS Loan Agreements, or any of its clauses," the SC wrote.

"Also the Court cannot sustain
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such apprehensions as petitioners have failed to prove as fact the allegedly inequitable foreign laws, of which the courts do not take judicial notice. Well established in our jurisdiction is that foreign laws must be alleged and proven like any other material fact," it added.

In 2019, Makabayan bloc members led by then-senatorial candidate Neri Colmenares asked the SC to strike down the government's \$211.21-million (P11.8 billion) and \$62-million (P3.4 billion) loan agreement with China for the construction of the Kaliwa Dam and Chico River pump,

respectively.

Colmenares and his group argued that the loans were invalid for violations of various constitutional mandates particularly the failure to secure the needed Monetary Board concurrence, in bypassing qualified Filipinos in favor of foreign project contractors, and for containing stipulations that defeat the state's pursuit of an independent foreign policy.

"Relative to procurement laws, the award of projects to the foreign contractors and their consequent financing under the Loan Agreements are outside the purview of the GPRA and the 2016 Revised Implementing Rules and Regulations (2016 HM)

effective at the time the CRPIP and NCWS projects were awarded," the SC wrote.

"Given that these commercial relationships are contractual in nature, arbitration thereon is understood as a purely private system of adjudication facilitated by private citizens, which has been consistently recognized as valid, binding, and enforceable. Given such fundamental principles, courts should liberally construe arbitration clauses, adopting the interpretation that would render such clauses effective," it continued. "Particularly, in contracts with a foreign element, the courts have generally respected the contracting parties' stipulated choice of law."



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Save Sierra Madre, stop Kaliwa Dam

Los Baños, Laguna—The Sierra Madre mountain range is one of the most impressive geographic features in our archipelago, spanning over 500 kilometers and 10 provinces, encompassing over 60 protected areas, and hosting a wide range of endemic flora and fauna, from pitcher plants like *Nepenthes barcelonae*, to rare birds like the Philippine eagle-owl (*Bubo philippensis*).

As a mountaineer, I have had the privilege of doing various hikes in the Sierra Madre, including the 1,940-meter Mt. Bintuod in Nueva Vizcaya (possibly the highest peak in the range), the 1,887-meter Mt. Mingan in Aurora (we had to brave thorny pandan slopes to reach its peak), the 1,168-meter Cagua Volcano in Cagayan (where I very nearly fell on a boiling fumarole), the 1,750-meter Mt. Kemalugong in Nueva Ecija (with its unexpected pine forest), and the 1,448-meter Mt. Irid in Rizal (with its incredible limestone formations). All these hikes taught me the beauty of the range and its significance—cultural, environmental, economic—to the local communities and the country itself.

Thankfully, the role of the Sierra Madre has been increasingly recognized in recent years, particularly in shielding the rest of Luzon from typhoons. In 2012, then President P-Noy proclaimed Sept. 26—the day Typhoon “Ondoy” made landfall three years prior—as “Save Sierra Madre Day.” Coincidentally, the same day this year marked the arrival of Typhoon “Karding,” serving as yet another compelling reminder of the mountain range’s protective role.

The Sierra Madre, indeed, has been protecting us for centuries, not just from typhoons but from ecological disasters—which is probably why, in Ilocano and other Filipino languages, “bantay” means mountain. The question is: What are doing to protect the range?

This vast and majestic range is just as



SECOND OPINION

GIDEON LAASCO

needful of protection as ourselves, if not more so. For centuries, the Sierra Madre has been subjected to destruction in human hands. The Marcos dictatorship was particularly disastrous for the range: Hundreds of thousands of hectares of forest land were given to cronies as “concessions” as part of what Robin Broad (1995) calls “plunder economy.” Even today, illegal logging continues in the range; there were times when, even as I was trekking through the forest, I could hear the sound of chainsaws destroying it tree by tree.

This brings me to our most urgent task: We need to stop destructive projects and activities that threaten the range. News just this week that the Kaliwa Dam project will push through after all is very distressing; it is incredulous to think that after years of vigorous opposition, the Dumagat and Remontado communities will give free and informed consent to a project that will displace them from their ancestral lands, especially with the existence of viable alternatives that can meet Metro Manila’s water demands (a concern I do not dismiss) without the same environmental and socio-cultural impact. Aside from this megaproject, logging, land-grabbing, quarrying, and



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mining are also leading to deforestation, and must likewise be arrested alongside the culture of corruption that enables them.

We also need to defend the environmental defenders—including forest rangers, environmental activists, and indigenous peoples who speak out against these destructive projects—and carry out vital environmental work. Alas, as the latest Global Witness report shows, the Philippines continues to rank among the deadliest countries for environmental defenders—19 in 2021 alone—and justice has been painfully slow, if not nonexistent.

Meanwhile, we should support the scientists and researchers whose works—just like the great Leonard Co before them—bring us to a fuller appreciation of the beauty, (bio)diversity, and vulnerability of the range.

Finally, we need to make the mountain range accessible. Expensive registration and guide fees, as well as limited public transport, have restricted access to even the parts of the range closest to Metro Manila—in sad contrast to many countries where people can go outdoors for free. In the aftermath of a pandemic that drove us (needlessly) indoors, the Sierra Madre—and other green spaces in the country—can uplift our physical and mental health while fostering an appreciation of our interconnectedness with nature. Parks like Masungi Georeserve have fulfilled this role, but they need to be protected, promoted, and propagated.

All of the above will require a recognition that the Sierra Madre can keep protecting us if and only if we protect it, too. We can keep saying “thank you” to the Sierra Madre range whenever it saves us from typhoons and floods, but the only way to truly and meaningfully express our gratitude is to protect it from destructive projects like Kaliwa Dam.

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THE EXPONENT OF PHILIPPINE PROGRESS
SINCE 1900
MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER



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No hanky-panky in \$273-M China loans

SC declares loan agreements for Chico River Irrigation, Kaliwa Dam projects as valid and constitutional

By REY G. PANALIGAN

The Supreme Court (SC) has declared "valid and not unconstitutional" the \$62.08 million and the \$211.21 million loans secured by the Philippine government from the Export-Import (EXIM) Bank of China in 2018 to finance, respectively, the Chico River Pump Irrigation project and the Kaliwa Dam project.

In a full court decision, the SC has declared that the loan agreements have sufficiently complied with the applicable procurement laws and conformed with the pertinent provisions of the Philippine constitution.

"Wherefore, the consolidated petitions for prohibition in G.R. Nos. 245981 and 246594 are denied," ruled the SC in the decision written by Associate Justice Josep Y. Lopez. "The court declares valid and not unconstitutional the Preferential Buyer's Credit Loan

Agreement on The Chico River Pump Irrigation Project and the Preferential Buyer's Credit Loan Agreement on The New Centennial Water Source-Kaliwa Dam Project."

Dismissed by the SC were the petitions filed by the then Makabayan Bloc in Congress composed of Neri J. Colmenares, Carlos Isagani T. Zarate, Ariel B. Casilao, Emerenciana A. DeJesus, Arlene D. Brosas, Sarah Jane I. Elago, Danilo H. Ramos, and Elma A. Tuazon.

Named respondents were former government officials led by then President Rodrigo R. Duterte, who was deleted as respondent in the petitions on account of his presidential immunity from suit, and Salvador C. Medialdea, then executive secretary.

Colmenares and his group claimed that the loan agreements were invalid for violations of various constitutional mandates, particularly the failure to secure the needed Monetary Board (MB) concurrence, in bypassing qualified

Filipinos in favor of foreign project contractors and for containing stipulations that defeat the State's pursuit of an independent foreign policy.

The \$62.08 million loan for the Chico River Irrigation project was executed on April 10, 2018 between EXIM Bank and the Philippine government through the Department of Finance. Through Resolution No. 813 dated May 17, 2018, the MB gave its final approval to the loan agreement.

For the \$211.21 million loan for the Kaliwa Dam project, the MB gave its final approval on June 6, 2019 under Resolution No. 854.

In resolving the issues raised in the two petitions, the SC said:

"Regarding the CRPIP (Chico River) loan agreement, on Feb. 1, 2018, the DOF requested the MB for the issuance of an approval-in-principle on the proposed loan, which the MB granted on Feb. 22, 2018 through Resolution No. 305.

"Negotiations proceeded between the EXIM Bank and various Philippine government agencies, as represented by the DOF, culminating in the signing of the CRPIP loan agreement on April 10, 2018. Following the DOF's request for the MB's final approval, the same was given on May 17, 2018, through Resolution No. 813.

"The Court rules similarly on the NCWS (Kaliwa Dam) loan agreement. On Sept. 7, 2018, the DOF endorsed the MWSS's proposed loan to the MB, for which the MB gave its

approval-in-principle on Sept. 28, 2018 through Resolution No. 158.

"Negotiations ensued and on Nov. 20, 2018, the NCWS loan agreement was entered into between the EXIM Bank and the GRP (Government of the Republic of the Philippines). Through Resolution No. 854 dated June 6, 2019, the MB finally approved the loan.

In a full court decision, the SC has declared that the loan agreements have sufficiently complied with the applicable procurement laws and conformed with the pertinent provisions of the Philippine constitution.

"As with the CRPIP loan agreement, the NCWS loan agreement's representations and warranties by the borrower, as well as the special covenants, specifically Article 6.4, indicate undertakings to comply with the conditions attached to the approval-in-principle, in order to obtain the final approval.

"... while Section 19, Article II of the 1987 Constitution requires the development of a self-reliant and independent national economy effectively controlled by Filipino entrepreneurs, it does not impose a policy of Filipino monopoly of the economic environment. The objective is simply to prohibit foreign powers or interests from maneuvering our economic policies and ensure that Filipinos are given preference in all areas of development.

"... the loan agreements themselves are distinct from the mutually adopted bidding procedures through which the infrastructure projects were awarded to foreign contractors. Relative to procurement laws, the award of projects to the foreign contractors and their consequent financing under the loan agreements are outside the purview of the GPRA and the 2016 Revised

Implementing Rules and Regulations (2016 HM) effective at the time the CRPIP and NCWS projects were awarded.

"Given that these commercial relationships are contractual in nature, arbitration thereon is understood as a purely private system of adjudication facilitated by private citizens, which has been consistently recognized as valid, binding, and enforceable. Given such fundamental principles, courts should liberally construe arbitration clauses, adopting the interpretation that would render such clauses effective.

"Particularly, in contracts with a foreign element, the courts have generally respected the contracting parties' stipulated choice of law.

"At any rate, petitioners' contentions—that the choice of applicable law and forum are heavily skewed in favor of the lender EXIM Bank and will prove greatly disadvantageous to the Philippines in case a dispute arises—deserve no consideration.

"As Associate Justice Amy C. Lazaro-Javier pointed out, petitioners' contentions are speculative at best, there being no indications that the arbitration clause has been or is being enforced.

"Also, the Court cannot sustain such apprehensions as petitioners have failed to prove as fact the allegedly inequitable foreign laws, of which the courts do not take judicial notice. Well established in our jurisdiction is that foreign laws must be alleged and proven like any other material fact.

"In view of the foregoing disquisitions, petitioners have failed to present any compelling issue to warrant the nullification of the CRPIP and NCWS Loan Agreements, or any of its clauses."



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EDITORIAL

CHR and climate change

IF WE go by the 1987 Constitution, the Commission on Human Rights is tasked to investigate on its own, or on complaint by any party, all human rights violations involving civil and political rights.

What we know is that civil and political rights include freedom of speech, of expression, and of the press and the right of the people to peaceably assemble and petition the government for a redress of grievances.

They also include the right of the people to be secure against unreasonable searches and seizures, and the right not to be served a search warrant or warrant of arrest without probable cause.

But the CHR appears to have expanded on its own the scope of its mandate under the 1987 Constitution by also tackling economic and social rights covered by an international covenant initiated by the United Nations.

And, not to forget, the UN also has an international covenant on the Right to Development.

Not that we're complaining.

In fact, the CHR's self-declared expanded mandate to investigate the people's right to be protected from the climate crisis serves the public good and the national interest.

The CHR deserves commendation for initiating this inquiry and contributing in no small measure to our deeper understanding of the climate crisis

The CHR, an independent constitutional body, was well within its right to conduct a National Inquiry on Climate Change. This is the world's first inquiry into corporate responsibility for the climate crisis.

The CHR's NICC Report found the world's fossil fuel companies to have "obfuscated, obstructed, derailed and delayed" efforts to transition to renewable energy sources, undermining the people's right to be protected against the climate crisis.

That's a searing indictment of the big oil companies who have thus far escaped responsibility for the climate crisis.

The landmark report declared that climate

change adversely affected the human rights of Filipinos to life, food and water security, as well as to development.

The report was the CHR's response to a petition by environmentalists led by Greenpeace to examine the impacts of climate change on the human rights of the Filipino people and the responsibility of major fossil-fuel companies.

The petitioners held 47 companies liable for driving the climate crisis and the harms it produced. They included the world's largest multinational carbon companies - Chevron, ExxonMobil, Royal Dutch Shell, British Petroleum, Peabody Energy, Total and Console Energy Inc.

The inquiry found the largest fossil fuel producers to have "engaged in willful obfuscation of climate science" that prejudiced the public's right to make informed decisions about their products and concealed the "significant harm" these had on the environment and climate system.

The CHR took seven years to finish the inquiry because companies were unwilling to engage with the agency CHR on the grounds of jurisdiction and territoriality, and refused to acknowledge that climate change involved civil and political rights.

But the CHR stood pat on its stand that "in truth and in fact, all human rights are interdependent and interconnected," and that several international laws, treaties and principles "already confirm that states have the responsibility to mitigate climate change impacts in a manner anchored on human rights."

The CHR deserves commendation for initiating this inquiry and contributing in no small measure to our deeper understanding of the climate crisis.