DOCUMENTATION REPORT

MULTI-STAKEHOLDERS' DIALOGUE WORKSHOP ON THE EXTRACTIVE INDUSTRY GOVERNANCE IN THE BANGSAMORO

EM Manor Hotel, Cotabato City; Lantaka Hotel, Zamboanga City
August 16-17 and August 22-23, 2016

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WORKSHOP OBJECTIVES

The objectives of the one and a half-day dialogue workshop are three-fold, namely:

1. For participants to know and understand the resource potentials, vulnerabilities and issues of stakeholders concerning the extractive industry governance in the Bangsamoro and ARMM;
2. For multi-stakeholders to appreciate and act on the inclusion of the Bangsamoro and ARMM in the Extractive Industry Transparency Initiative (EITI);
3. For them to come up with an action plan that would guide EITI implementation in the Bangsamoro and ARMM.

EXPECTED OUTPUTS

The dialogue workshop is expected to generate the following concrete outputs:

1. Comments/reactions and additional information that would validate the scoping study findings;
2. Endorsement of an interim MSG with members coming from government, business and civil society that will lead EITI implementation in the ARMM/Bangsamoro;
3. One-year action plan on EITI implementation in the ARMM/Bangsamoro.

RATIONALE

Taking off from the results of the scoping study in the Bangsamoro, an important deliverable of the project is to present and validate the findings with multi-stakeholders and representatives of regional and local governments, civil society (local NGOs and academic institutions) and the business community. The validation activity would highlight the need for enhanced transparency and participatory governance in the Bangsamoro's extractive sector through the EITI (Extractive Industry Transparency Initiative) mechanism already adopted by the national government. The Office of the ARMM Regional Government plays an important role as champion and prime mover in creating an enabling policy environment through its own version of EITI implementation that would help ensure that the autonomous region's extractive industry would positively contribute in sustainable local economic development and poverty alleviation..

PARTICIPANTS

COTABATO CITY

	Name	Office/Organization
1	Albashir Saiden	EA 3, RIO, DENR
2	Anonawas Pendaliday	VP for Research and Extension, Cotabato City State Polytechnic College
3	Anwar Sabuang	Director, United Youth for Peace and Development
4	Arlene Catuyan	Office of Southern Cultural Communities
5	Atty. Ishtak Mastura	Chairperson, Regional Board of Investments
6	Bainor Panalunsong-Sultan	Exec Asst 2, Provincial LGU, Maguindanao
7	Bea Abelardo	OND Hesed Foundation
8	Datu Abdelwin Sangkula	Assistant Secretary, DENR
9	Datu Habib Sarifuddin Maulana	Save Tawi-tawi Movement
10	Dencio Kadingilan	Office of Southern Cultural Communities
11	Doming Dagadas	Head, PENRO, Maguindanao
12	Farida Biruar	CIS, RBOI ARMM
13	Froilyn Mendoza	Teduray Lambangian Women Organization
14	Gani Petron	Office of the Regional Treasurer
15	Glory Centillo	MENRO, Upi, Maguindanao
16	Guiamel Abdul	FMS-Chief, PENRO, Maguindanao
17	Hadji Kahal Kedtag	Regional Secretary, DENR
18	Irene Dillo	Exec. Dir., Development Consultants, Inc
19	Jessie Ondoy	Head, Planning DENR
20	Kusain Amino	Kadtabanga Foundation
21	Larzon Santos	CIS, Regional Borad of Investments
22	Mario Catubay Jr.	Program Coordinator, Institute for Autonomy and Governance
23	Nashrudin Kusain	Exec. Director, Adat Betad, Inc.
24	Nida Rodriguez	Exec. Dir.,RPO, Notre Dame University
25	Rahib Kudto	United Youth for Peace and Development
26	Ramon Piang	Mayor, Upi, Maguindanao
27	Romeo Saliga	IP Megukol Fusaka
28	Saman Guiamla	MSU Maguindanao
29	Samra Alang	NDU-Research
30	Timuay Santing Unsad	Dep. Sec Gen., Organization of Teduray and Lambangian Conference

ZAMBOANGA CITY

	Name	Office/Organization
1	Al-Khalifa Jilah	Coordinator, Consortium of Bangsamoro Civil Society Orgs.
2	Al-Masir Adilon	Sulu. KBS, Consortium of Bangsamoro Civil Society Orgs.
3	Arlene Sevilla	Director, External Affairs, Tawi-tawi Regional College; Exec. Director,Tawi-tawi Alliance of Civil Society Organizations
4	Charito Lim	Anak Tawi-tawi Youth Association
5	Datu Rainab Pilang	LGU Languyan
6	Dayang Karna Bahidjan	Exec. Dir., Matawkasi Inc, Jolo, Sulu
7	Didit Decierdo	LGU Sulu
8	Dr. Pao Dambong	PENRO, Sulu Province
9	Engr. Fraser Abdurahman	CENRO, Sulu
10	Evelyn Martinez	Planning Officer, BFAR, Tawi-tawi
11	Grace Lazaro	Forester, PENRO Basilan Province
12	Habib Sariffu	LGU Tawi-tawi
13	Henry Bonguyan Jr.	LGU Tawi-tawi
14	Jonel Mohammad Monel	PENRO Tawi-tawi
15	Jurma Tikmasan	Exec. Dir.,Tarbilang Foundation MSU-TCTO, Sanga-sanga, Bongao, Tawi-tawi
16	Karna Padungla	LGU Tawi-tawi
17	Larzon Santos	Regional BOI, ARMM
18	Lee Loreste	LGU Sulu
19	Magsaysay Werble	Dean, College of Arabic and Islamic Studies, MSU-TCTO, Tawi-tawi
20	Mardella Decierdo Matba	Anak Tawi-tawi Youth Association
21	Marietta Ladjiman	Basilan Provincial Office
22	Mernalyn Isa	Bangsamoro Women-Basilan
23	Merno Jilah	LGU Languyan
24	Nur-Padzri Pao	CENRO, Sulu
25	Pershing Taiyab	MENRO, Langoyan
26	Sarim Abtam	LGU Languyan
27	Selpa Miento	NDU Jolo
28	Sitti Lukaiya Usih	Asst. CES Director, Notre Dame of Jolo College
29	Thonje Masukat	LGU Tawi-tawi
30	Yusa Taib	Chairman, Federation of Seaweed Farmers' Association

RESOURCE PERSONS, FACILITATOR & DOCUMENTER

1	Starjoan Villanueva	AFRIM
2	Chadwick Llanos	PH-EITI MSG Representative
3	Beverly Besmanos	Bantay Kita
4	Hazel Lozada	Facilitator, AFRIM
5	Daphne Padilla	Documenter, AFRIM

SUPPORT STAFF

1	Betty Carascal	AFRIM
2	Brenda Lee Drah	AFRIM
3	Rizalina Enriquez	AFRIM
4	Robet John Carascal	AFRIM
5	Sheryl Recla	AFRIM

REGISTRATION OF PARTICIPANTS

Participant Froilyn Mendoza (in beige) during the registration at the Cotabato workshop

AFRIM support staff Brenda Lee Drah and Sheryl Recla (right) update the list of participants while Rizalina Enriquez (at the back) waits to welcome participants at the Zamboanga workshop.

WELCOME ADDRESS

HADJI KAHAL KEDTAG

REGIONAL SECRETARY

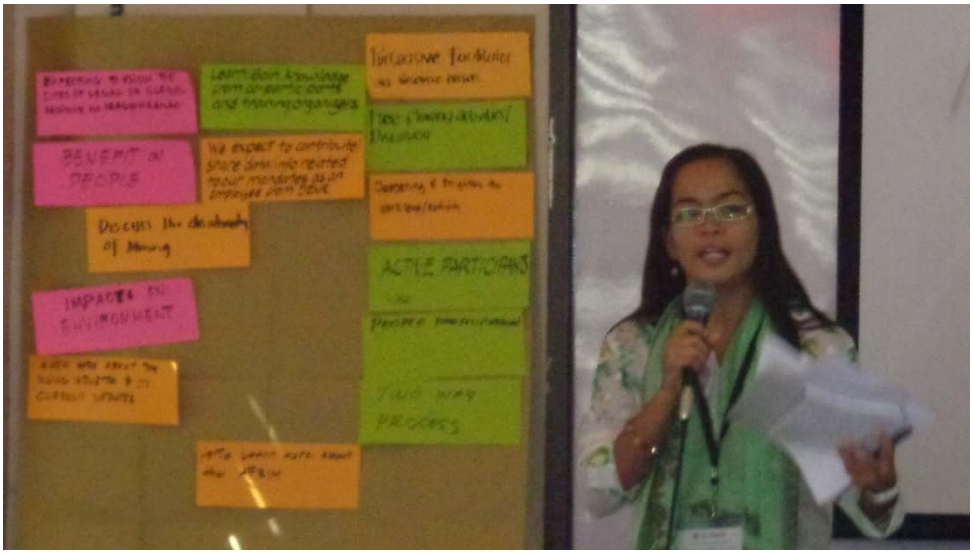
DENR-ARMM

- We have long wanted to have a discussion about the extractive industry as our office, the DENR, has this urgent task to regulate it.
- In 2012, our office reviewed eight MPSAs and this includes one in Lanao del Sur and seven in Tawi-tawi. We have scrutinized it since then, and have not released any clearances.
- During the review we also considered the existing total log ban of the governor and the rising concern about the status of the environment.
- In 2004, I was ambushed because of my anti-logging stand. I lost a driver who was also my nephew. Since I am a forester, I do not like the destruction of forests.
- The current mining activity in Tawi-tawi has become a nagging issue (*makulit*). This is not only about the threat to the environment but also about income transparency. The sharing of income needs to be discussed, however, there should not be personal attacks.
- My office will help in spreading this (transparency) initiative and we should disseminate information so that others may know. We know that a high income is good but not at the expense of the community. What needs to be corrected has to be corrected. Let us all learn from the lessons of the past.

PARTICIPANTS' EXPECTATIONS

COTABATO CITY

- Know the sites of legal and illegal mining in Maguindanao
- Benefit of mining for the people
- Discuss the disadvantage of mining
- Impact on the environment
- Learn/gain knowledge from co-participants and training organizers
- Know more about the mining industry and its current updates
- To contribute/share data or information related to our mandate as employees of DENR
- To learn more about AFRIM
- Persuasive facilitator and resource person
- Free-flowing activities and discussion
- Deepen and enlighten the workshop/activity
- Active participants
- People participation
- Two-way process



AFRIM staff and workshop facilitator Hazel Lozada asking Cotabato participants to write down their expectations on the idea cards

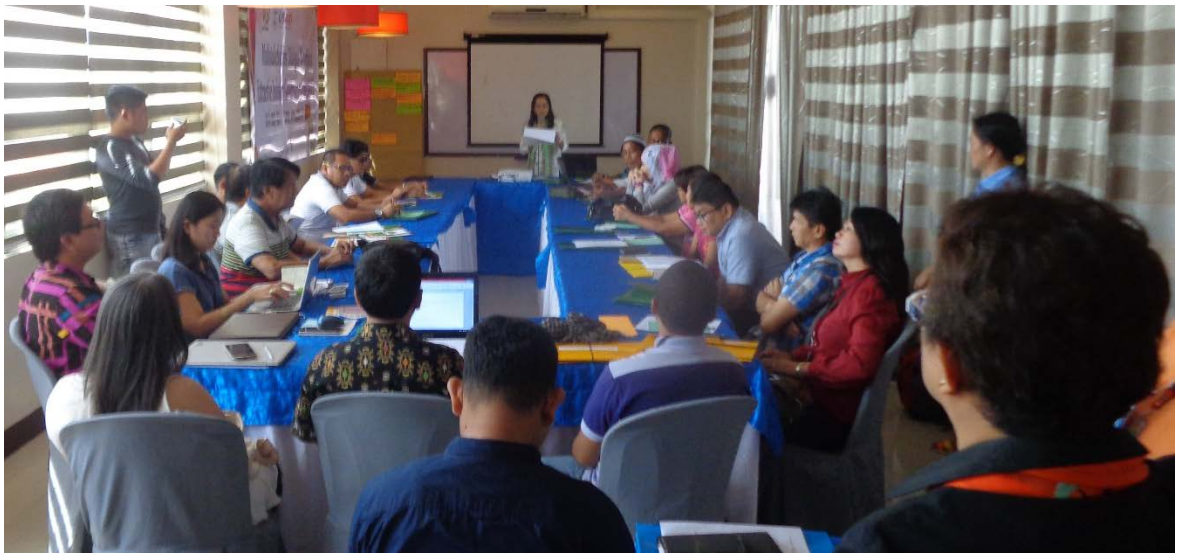
ZAMBOANGA CITY

Local Government Units and Government Agencies

- Come up with relevant issues and concerns in promoting transparency in mining and other extractive industries in the ARMM
- Issues and concerns on extractive industry in ARMM could be well addressed
- More information about the extractive industry
- Relationship of AFRIM with other CSOs
- Relevance of AFRIM to the present situation
- Know the wealth tax sharing that is due for the country and the environment's rehabilitation
- To know the process of how responsible and sustainable mining should be done
- Participate in dialogue workshop and gain more knowledge about the extractive industry in ARMM
- To be able to clarify matters, issues, and concerns pertaining to the extractive industry within MGU/PLGU jurisdiction
- More information regarding the issues and concerns of the extractive industry
- To gain more knowledge about the present situation of our environment, and how mining exploration, quarrying and other resource extraction activities are affecting the environment

Civil Society Organizations

- To have participative and productive interaction during the workshop
- Know more about EITI
- Get to know other program partners and stakeholders
- More information on EITI practices in the Philippines
- Academe's involvement/participation to maximize community development and environmental rehabilitation for sustainable resource utilization
- Understand the mechanism for collaboration among LGUs, CSOs, NGOs about mining risks and benefits
- CSO dialogue or community dialogue on Bangsamoro mining issues
- Community awareness and people's participation in mining-affected areas
- Learn more about the 'counterpart' of mining companies; what they should be doing for the community, the environment, etc.
- To keep abreast about mining, illegal quarrying and environmental preservation



AFRIM staff and workshop facilitator Hazel Lozada (center;in white)reading the roster of participants while encouraging each participant to use the idea cards to express their expectations of the workshop. AFRIM Executive Director Starjoan Villanueva observes at the back.

INPUT-PRESENTATIONS

There were three input-presentations by AFRIM, PH-EITI and Bantay Kita for the Cotabato leg of the dialogue-workshop. During the first day, Ms. Starjoan Villanueva of AFRIM presented the findings of the scoping study *(Scoping Study: Extractive Industry Governance in the ARMM)* while Mr. Chad Llanos of PH-EITI discussed the EITI process to the group *(Extracting EITI)*. On the second day, Ms. Beverly Besmanos of Bantay Kita shared the EITI sub-national initiative on the Minahang Bayan in T'boli, South Cotabato and the sub-national transparency framework.

An open forum was facilitated by AFRIM after the presentations. The participants were divided into buzz groups for the sharing of their ideas and initial reactions.

In the Zamboanga leg of the dialogue-workshop, the same presentations were used. However, the order of presentation was reversed, starting with PH-EITI and Bantay Kita before AFRIM's presentation.

Cebu-based Mr. Chad Llanos explaining the EITI process to Basulta participants at Lantaka Hotel in Zamboanga City

AFRIM Executive Director Ms. Starjoan Villanueva during the Cotabato presentation of the Scoping Study

Ms. Beverly Besmanos of Bantay Kita animatedly explains the EITI sub-national initiatives while Gani Petron of ARMM's Regional Treasury intently listens

REACTIONS TO THE SCOPING STUDY FINDINGS

COTABATO CITY

- The BOI of Cotabato has not given any tax holidays or tax incentives and this has discouraged mining.
- Quarrying is ongoing at Simuay. But it is an MILF area and cannot be taxed.
- Maguindanao lacks a provincial monitoring board to keep track of the quarrying activities in the area.
- There is an ongoing harmonization of IPRA and RA 9054 so that the NCIP can develop new policies. This includes the perimeter survey that is being done in IP communities.
- There has been an interest for oil exploration in the Liguasan Marsh but since the area is infested with armed groups, this will only bring trouble and competition for control of resources.
- The Liguasan Marsh is covered by the NIPAS. However, it is apparent that such law is not implemented. There is a recommendation to protect the Liguasan Marsh based on the Mindanao River Basin Project done by the Mindanao Development Authority (MinDA).
- If the Bangsamoro Basic Law (BBL) is approved, the contracts will emanate from the region and the national government will just sign.
- If the shares from mineral resource extraction become a main source of income, more will not be interested to earn a living, and this will eventually lead to poverty.

Reactions by the Panel composed of Ms. Froilyn Mendoza, Dr. Abunawas Pendaliday, and Asec. Datu Abdelwyn Sangkula

Asec. Datu Abdelwyn 'Dats' Sangkula

- The issue of the extractive industry is an issue of governance. Any mining activity will affect social relationships---either make or break it.
- EITI has set the standards for transparency and governance, and this is good. There are many LGUs who are not aware of RA 7942.
- It is possible that Tumbagaan Island in Tawi-tawi can be obliterated by mining. Thus, there is a need to review the extraction method as well as the need to develop a way to compute how much top soil can be removed for nickel mining.
- Planning in all activities should be participatory so that people will know how it will affect their lives and their future.
- There is a proposed mining act or guide for ARMM or environmental code that will be part of the First 100 days of the new administration.

Datu Abdelwin Sangkula *is the Assistant Regional Secretary of the DENR in ARMM. Prior to his appointment, he has worked with an environmental NGO for more than a decade. He used to represent civil society organizations in the MMT for the Malampaya Gas Project in Palawan.*

DATU ABDELWIN SANGKULA has managed the REDD plus preparedness project in the Victoria-Anepahan Range in Palawan as part of his work in NTFP EP Philippines. He was also the Project Officer of the Environment Legal Assistance Center (ELAC). He managed and implemented various projects related to community-based resource management, ancestral domain titling and environmental policy reform advocacy both at the local and national levels. He has also led an NTFP EP Philippines Team to draft the Community-based Sustainable Tourism Business Plan for the Sibuyan Mangyan. (Source: NTFP website)

Ms. Froilyn 'Tutut' Mendoza

- There are SSMs in ARMM and all are illegal so there are no royalty fees collected from the land of the IPs.
- FPIC process has no clear documentation as the IPRA is not practiced in the ARMM. The AFRIM study is right in sighting that 'consultation' is 'just signing attendance sheets' to show that consultation was done.
- There is no comprehensive documentation of the FPIC process. It should include a development plan according to the concepts that were expressed by the Lumads.
- The empowerment of the FMC is limited.
- One of our (IP) issues with the BBL is part of the 58 exclusive powers of the Bangsamoro and this could mean the need to negotiate political settlements and to identify strategic and non-strategic minerals in different areas.
- The Bangsamoro Development Agency should be transparent and should also be written for the IPs. It should show the entire plan if the extractive industry operates in the ARMM. Thus, there is a need for 'IP lens' as part of the BDA.
- The IPRA should be operationalized so there is a need of enabling laws as there had been 23 years of ARMM. For one, how will the IP choose the regional representative for the regional assembly? If there is no IP representative, there is no appreciation of IP issues.

Froilyn Mendoza *is an indigenous woman leader with extensive experience in indigenous grassroots women's organizing. She is a co-founder of the Teduray Lambangian Women's Organization. She previously worked as a spokesperson of the Mindanao Council of Lumad Women, a coalition of 18 major tribal groupings of Indigenous Women in Mindanao, from 2003 to 2007 to advance the agenda of Indigenous Women to the ongoing GPH-MILF peace talks. She went on to become the Advocacy Specialist of the Institute for Autonomy and Governance, a policy advocacy NGO, where she worked on a project for the empowerment of Indigenous Peoples in the Autonomous Region in Muslim Mindanao. For seventeen years she has worked to liberate tribal women through organizing, development education and training, advocacy and lobbying, and community initiative economic projects. She represents her tribal group in many forums and gatherings especially the recent discourse on the framework agreement and position of IP women in the core area of the Bangsamoro Governance. She is also the IP cluster head of the National Rural Women Coalition. (Source: lifted from n-peace.net)*

Prof. Abonawas 'Bon' Pendaliday

- The moratorium on mining was lifted nine days after license was given to SMI (Tampakan). But mining is allowed in the constitution, by republic acts and presidential decrees. I have been part of the review committee of Languyan (Tawi-tawi) and was the former chairman.
- In mining, there is a scientific basis for everything. It is like the battle between reforestation and gold extraction. With climate change, reforestation is difficult so there must be a proactive approach in dealing with responsible mining. We can convert political into productive asset that will benefit everyone. But then again, with climate change, gold just might willingly emerge from the ground up and we just have to pick it up.
- If the Ligwasan marsh is mined, it will affect the water supply of the region. We have conducted various studies that underline the importance of Ligwasan to our region. It should be protected.

Abonawas M. Pendaliday, Ph.D*. is a holder of Bachelor of Science in Forestry graduate from the Mindanao State University; Master of Science in Forestry graduate from the University of the Philippines; and a graduate of Doctoral Degree in Rural Development from the University of Southern Mindanao, Kabacan, North Cotabato. He has held various consultancy jobs for foreign and national agencies which are all connected to the Ligwasan marsh.*

ZAMBOANGA CITY

The Reaction Panel was composed of Larzon Santos, Chief Investment Specialist of the ARMM Regional Board of Investments; Jurma Tikmasan, instructor at MSU-TCTO, and Founding President and Executive Director of Tarbilang Foundation; and Prof. Magsaysay Werble, Dean of Islamic Studies at MSU Tawi-tawi, and President of Tawi-tawi Alliance of CSOs (TACOS).

Larzon Santos

- The investments in the ARMM area are greatly derailed by the security situation in the area like kidnapping.
- Tawi-tawi is ripe for mining because aside from the availability of investors, the LGU was ready to exert efforts to secure the business.
- Our office did not provide tax holidays on mining projects even if the national government has announced to this effect. Thus, the municipality of Languyan enjoys the 30% tax revenue which the national government does not have.
- Mr. Santos also shared that he has asked the technical people of a mining company if they are sending the top soil to China. They replied that the top soil is placed in another area to be used for rehabilitation. This is not the case with Surigao where the top soil is loaded in barges for China. These activities should be accounted for in the books of that mining company.
- There are foreign investors who are interested but the safety and security issues have discouraged them.
- Lanao del Sur is about to graduate from the poorest provinces because of the entry of investments. Let's hope this will happen to Tawi-tawi, too.

Larzon Santos is the chief investment specialists of the Regional Board of Investments in ARMM. He has been working with the BOI for the past 27 years. A graduate of agriculture, he has further honed his skills by acquiring a graduate degree in Development Management.

JURMA TIKMASAN

- The presentation showed the pros and cons of mining and consultation like this one is crucial to informing the community and provides an opportunity to discuss the extractive industry against environmental degradation.
- There should be more researches that look into the effects of mining in the communities. For example, what are the other effects of removing the top soil?
- LGUs should look into the possible implications of mining closure on the lives of the people as not everything is visible to the eye. What cannot be seen right now should be studied as this might have implications soon.
- AFRIM shared basic information or knowledge that should be inputted when we discuss mining as a form of guidance.
- The principle of 'doing no harm' should be critically reviewed because sometimes we think we do no harm now but eventually that is not true.
- The conclusion of this study by AFRIM is something that I look forward to.

Jurma Tikmasan *is a member of the Faculty of MSU-Tawi-Tawi.*

Her experiences include working with various stakeholders in Mindanao to promote gender equality in the context of Islam; partnership with Muslim religious leaders in correcting misconceptions about women's rights as human rights; partnership with various stakeholders in pushing for the prevention of and response to Gender-Based Violence (GBV); partnership with various stakeholders in the formulation and passing of Gender and Development Code (GAD Code) for ARMM, and networking and advocacy among local leaders to encourage LGUs in developing their Gender-sensitive Local Development Plans (LDP) and Comprehensive Development Plan-Executive Legislative Agenda (CDP-ELA).

PROF. MAGSAYSAY WERBLE

- The presentation is an eye-opener and should help us as we level off in Tawi-tawi about our observations.
- Mining in Tawi-tawi has improved the lives of a selected few.
- It shows that it is the responsibility of the LGUs (especially the mayor) to keep the community safe and to protect its interests.
- As part of the MMT, we also look at the living conditions of the people. So far, it is okay except for some mangrove areas that need rehabilitation. The marine resources of Tawi-tawi are very rich--- from the smallest of shells to the various fishes. It is true that it might be hurt by siltation.
- The MMT knows that after mining, the people should have another source of livelihood. Mining cannot be done forever.
- However, I recommend for AFRIM to suggest that those who buy minerals from us should also pay the other minerals they get from the soil that they mine; to suggest construction of local processing plants so that we earn more and maybe become as industrialized as Japan.

Prof. Magsaysay Werble *is the President of the Tawi-tawi Alliance of Civil Society Organizations. He is currently a member of the MMT that monitors nickel mining operations in Tawi-tawi, and the municipal consultant of Bongao on peace and development. He is also the Dean of the College of Islamic Studies, Mindanao State University -Tawi-tawi.*

OPEN FORUM

COTABATO CITY

Timuay Santing Usad

Mining does not really help the IPs. If the top soil of a mountain is to be removed to extract the nickel, you are killing the land softly. It is irreplaceable and the damage is irreversible. Therefore, the land should be preserved and sustained as mining does not help the general population. IN Benguet, the 'katutubo' are still in 'bahag' and an indicator that they are still poor.

Gani Petron

We should be concerned about sustainability. Mining contracts are participated in only by a few.

Romy Saliga

What about illegal miners? Are the small scale and illegal miners part of the concern of EITI?

Nashrudin Kusain

When we were told not to use our cellphone if we are anti-mining, does it mean now that we should be pro-mining because we have gadgets?

Mayor Ramon Piang

The reactions were handled by Chad Llanos and Starj Villanueva. It was clarified that AFRIM and BK are not pro-mining and that both organizations do not encourage natural resource extraction. However, they recognize the fact that there are communities that engage in mining as well as those that oppose mining operations. The EITI provides a platform for dialogue where mining interests can be discussed in an open and non-violent manner. Mining projects, for example, can be assessed by multi-stakeholders on how these will benefit communities and the country at large in a more sustainable manner.

Beverly Besmanos of Bantay Kita further noted that while mining activities in the Philippines are currently taxed, studies have shown that the tax revenues collected from the extractive industry are far lower than the sin taxes collected from liquor and tobacco.

OPEN FORUM

ZAMBOANGA CITY

After the presentation of Chad Llanos, Ms. Arlene Sevilla of Tawi-tawi Regional Agricultural College asked the first question why SR Languyan was the only mining company identified in the scoping study. The facilitator, Ms. Hazel Lozada, requested to park the question for a while as this will be answered in the AFRIM presentation.

Prof. Magsaysay Werble of MSU-Tawi-tawi asked if the mining taxes that were collected were spent for the development of Taw-tawi. He also cited that Philippine poverty indicators show that Tawi-tawi is still classified as poor despite the reported large incomes derived from mining. He also asked about Bantay Kita and whether CSOs should organize and who should spend for the group? Is this accredited by the government since it monitors finances?

Mr. Pershing Taiyab started his question by telling the forum that his designation is now provincial communications and information officer of Tawi-tawi. He was invited because he was listed as the Municipal Environment Officer. Mr. Taiyab then asked about the royalties for the IP and shared that "in Tawi-tawi, it is not clear who are the IPs who should receive the shares. This needs clarification. Based on the recent audit of the mining in Tawi-tawi, they have given us data about the taxes they have paid. This stakeholder's dialogue will help us understand where the taxes."

Mr. Llanos found out from Taiyab that the mining activities in Tawi-tawi involve nickel extraction. He then cited data in his presentation that there are laws where the fees or shares will go. He cited that this means the 40% of the shares goes to the local government.

He opined that based on his experience in Region 7, the LGUs still are not aware of how these taxes are distributed. That is why some LGUs that host large-scale mining operations are still among the poorest. And this is the goal of EITI--- to empower LGUs and local communities. A strong community, however, is needed for citizens to effectively express what they need so that it can be provided within the boundaries of legal allocations. He also cited that the SDMP of a mining project is a plan for the community, thus, it should consider the needs and expectations of the community from the company.

Prof. Jurma Tikmasan of MSU-TCTO asked if it is possible to collaborate with major stakeholders and discuss the distribution of income from mining. As what she has observed, the benefits come in trickles or by piecemeal when communities should get 100% of these intended benefits.

Mr. Llanos replied that the question may be answered by the presentations of Bantay Kita and that of AFRIM.

Mr. Taiyab further noted that Tawi-tawi has an MMT that monitors mining activities. Thus, another monitoring group might not be needed. Mr. Jonel Monel, Tawi-tawi PENRO, added that the tripartite monitoring group is part of the implementation arm of the law. Thus, whatever its findings are forwarded to the national government.

Mr. Llanos added that EITI is looking into sub-national implementation. "MMTs are important but they are company-initiated."

The facilitator reminded everyone that the other questions fielded by the participants can be answered by the Bantay Kita presentation.

The EITI process and mechanism was further explained by Ms. Villanueva after which she presented the scoping study. During the presentation, Mr. Taiyab noted that in the case of Tawi-tawi where there are no IPs, the IP royalty shares are spent on mosques and other projects in other areas and not only in Languyan where the nickel mining project is based. He also revealed that there are around 9,000 beneficiaries who are receiving Php 2,000 to Php 3,000 a month. There are also academic scholars sponsored by the mining project. However, all these activities have been suspended with the ongoing performance audit as required by the new DENR Secrtary, Ms. Gina Lopez.

Without IPs in Tawi-tawi, according to Mr. Taiyab, the IP royalty fees are given to the *gagandilan* (freedom fighters) as decided by the LGU. The entire population, according to Taiyab, is also given its share. Mosques are also built as funded by the IP royalty shares.

When Ms. Villanueva said that "in 2015 there are three mining companies in Tawi-tawi", a participant interposed that "Sands Mining and Panglima Sugala are the same. There is only one operational mining project now which is Sands Mining but the holder of the MPSA is Chan C Mining. The assignee is Hikarijay and the building operator is Sands Mining." The deed of assignment then was transferred from Chan C Mining to Sands Mining.

The PENRO said that the reassignment was within the ambit of the law. He clarified that "Sands Mining which is operational now and the holder of the MPSA which is Chan C Mining, backed out." Ms. Villanueva, however, noted that while such transfer of deed of assignment is possible and is currently the norm, a legal mind and expert would be helpful in explaining its implications review to be better understood and presented since there was no legal mind among the participants. Aside from that there is also a need to for OSCC and NCIP to discuss matters, and that MGB ARMM lacks the technical capacity as relayed by ASec Sangkula as the office only has three people and has no geologist.

The DENR representatives also confirmed that Southern Nickel Corporation is no longer in Tawi-tawi. They also added that in Languyan, the MPSA of Pax Libera is that of Sincara's.

Arlene Sevilla also added that "oil exploration has already started in Mapun, Tawi-tawi." Ms. Villanueva added that there is no formal data from MGB or DENR during the course of the study.

The DENR representatives also disclosed that there are no small scale miners in Tawi-tawi. Therefore, what is peculiar in Tawi-tawi is that there is only one holder of MPSA, that there has been a deed of assignment or transfer and a separate company operates on the ground.

Pershing Taiyab also clarified the dispensation of the P1.2 to 1.5 M per month of royalty fees given by SR Languyan to the Sali Nudjang Foundation by saying that many benefit from its activities. He cited that 918 families of former MNLF combatants are given P2-3k monthly allowance, and every year it finances 200 pilgrims. The company through the foundation also supports academic scholars. In 2016, it will distribute 1,500 pump boat engines to fisherfolks and hog wires to farmers.

Taiyab also added that if the mining suspension is not lifted soon, people will "look for ways to earn a living and some may even end up as ASG or pirates." As such, Ms. Villanueva asked for employment data about the displacement.

There is no sex-disaggregated data about employment in SR Languyan. Taiyab shared that mining operations in Languyan are male-dominated and women are given livelihood assistance. The nature of the work is fit more for male workers.

Taiyab also added that Tubagaan island that is a source of nickel ore is said to be naturally barren. It is not the mining operation that has made it barren but the presence of nickel that disallows other plants to grow. He also said that "there is no quarrying in the BaSulTa area."

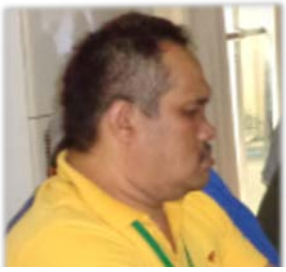
After the presentation, Evelyn of BFAR asked if the study has updates about efforts to protect the environment. She also asked if the EITI can increase the taxes for the mining industry as it seems paltry.

PENRO of Tawi-tawi Jonel Monel answered that there had been studies conducted of the marine life of Tawi-tawi and one was by Dr. Romero which shows "that marine life is okay and that the mining industry in Tumbagaa is responsible." Pershing Taiyab rejoinded that fish and corals still thrive in the Tumbagaan area. The research study is part of the monitoring report of the MMT.

In summary, both Monel and Taiyab attest that the environment of Tawi-tawi is in good condition despite the mining activities in the area. They also cited that the local government of Languyan has been "anticipating the exit of the mining project, and has, thus, provided its people 1,500 sets of pump boat motors and rolls of hog wire for livelihood activities." The local government knows that it has to create new opportunities for the communities once mining operations stop.

PERSHING TAIYAB, MENRO OF LANGUYAN ON EFFECTS OF 2016 MINING SUSPENSION

"…in fact, nalulungkot din kami kung magtatagal ang suspension baka magkaroon ng displacement sa mga tauhan natin. Syempre maghahanap yan ng mga trabaho o pagkakakitaan. Ay, hindi natin alam baka yung iba magiging myembro yan ng ASG or kung anu-ano…kidnap for ransom group, magiging pirate but definitely not prostitution because it is not happening in our municipality…"



After the panel of reactors composed of Larzon Santos, Jurma Tikamsan, and Magsaysay Werble shared their views on the scoping study report, the PENRO of Tawi-tawi Jonel Mohamad Monel further noted that 'the general welfare of the people in Languyan has improved because of the mining industry.'

The MENRO of Languyan, Pershing Taiyab, added that Languyan LGU is planning to put up a municipal school and a mosque amounting to millions. The money that will be used will come from the mining income of Languyan. He also claimed that the mining activity has "uplifted the quality of life" of Languyan. Taiyab further added that "participation for the pre-Ramadan Islamic training has increased from 800 to 4,0000 participants." After the training, according to Taiyab, "the mayor also gave them cash gifts."

Taiyab also proudly shared that "during the municipal founding anniversary they slaughtered 90 cows to feed the community." They intend to break that record in October 2016. In other areas, a processing plant for cocoa was constructed in preparation for the exit of the mining project.

During the second day in Zamboanga, PENRO Jonel shared that "the discussion focused on mining and how communities can benefit. However, the presentation also shared the repercussions of mining. EITI is a venue where we can get in to regulate mining and we should consider that."

"Development should not only be limited to material development but should also include moral development," according to Werble. He cited that this involves taking care of the environment and making sure that the mining industry performs its duties and responsibilities.

Mags Werble said that as part of the MMT, he has been monitoring the mining project in Tawi-tawi and "the input from EITI will be of help as it points at specific details that should also be monitored."

During the second day of the workshop the participants expressed their appreciation upon learning of the state's obligations in regards to mining activities and what to expect from the LGUs. At the same time they realized that the community should be active participants in monitoring mining projects as these would have long-term effects.

Two of the male participants expressed that it was their first time to attend such sharing and they learned much about mining from the activity. They also recognized the need of better security measures in mining projects and better security for the environment since mineral extraction is not renewable.

After the presentation of Beverly Besmanos of Bantay Kita, the participants acknowledged the need to protect the environment and to rehabilitate what has been destroyed. Taiyab again cited that the economic gains from mining have 'blessed Languyan' so much.

WORKSHOP OUTPUTS

COTABATO CITY

The second day started with a recap of the first day. There were fewer participants so they were divided into three groups and asked about their LEARNING INSIGHTS from the first day.

Sam Guiamla of MSU-Maguindanao was the first to express his insights about the sharing which unfortunately focused more on his concern about the Ligwasan Marsh.

"If we extract gas or ore from the Ligwasan Marsh, it will have drastic effect on the environment. Our college has studied the birds in Ligwasan Marsh and if there will be extraction of oil and gas, this will damage the marsh. The smell coming from the gas is already toxic. Is geothermal part of extractive industry? Look what happened to Lake Agco. Its color has changed from blue to brown after putting up the geothermal project there.

I suggest that the scoping study be deepened. And if there will be extraction of minerals in the Ligawasan Marsh, there should be a study on the water quality of its tributaries like the Pulangi River. The watershed might be affected. The water should also be looked into for contamination.

The mining and quarrying activities in Dimapatoy have been eroding the mountains. There are two barangays going down from Upi to Cotabato on the right side which is part of Barangay Tenorio and, then, at Dimapatoy with the main road going to the airport. The quarrying there is along the Dimapatoy River. However, there are also quarrying activities in nearby creeks which have no permits to operate. The rocks of these creeks which have dried up are being removed. Thus, when it rains flooding occurs.

Bea Abelardo of OND Hesed volunteered next:

"Question: What topics were discussed yesterday?

Based on the program, EITI updates were given by Chad (what EITI is, its concept and how it can help) and this was followed by the presentation on scoping study findings by Starj.

Question: What issues and concerns were discussed?

Mining issues and its socio-cultural impact; environmental impact in terms of water contamination and degradation of the environment

"Mining has both negative and positive impacts. However, the mineral deposits are usually found in the sacred grounds of IPs, thus, they suffer the most impact. My organization, Hesed, is against development aggression and does not support mining. We supported the protest against the aerial spraying in Tamasco. San Miguel Corporation was already securing the area so OND-Hesed pushed the community to have a CADT and the ADSDPP. They already have that now."

The last to offer his insight was Timuay Santing Unsad.

"I was not able to sleep last night because I thought that AFRIM is the spokesperson or agent of mining companies. It did not present the negative impacts of mining and I was about to go home. I am not a member of any civil society group but from a community that will be affected by mining. Like I said yesterday, I do not see a sustainable benefit for the IP communities from mining. Some members of the community may be employed by the mining companies but only for a few years especially if it's nickel. Nickel mining can only operate for a few years. The moment the top soil of the ancestral domains are removed (to extract nickel), then the mining companies leave, what will happen to the livelihood of the IPs. The soil is no longer arable and will only be fit to bury the dead IPs.

So I thought I joined the wrong workshop and wanted to leave."

Dencio Kadingilan of the OSCC based in Cotabato City also asked:

"Based on experience, after the 25-year mining contract ends, will the company leave along with their employees? For example, with the Consunji logging project, the contract has ended but the employees have remained in the areas. They have not left. This has affected the IP communities because they have taken over these communities."

Larzon Santos, CIS of the Regional Board of Investments of ARMM added that tax holidays or incentives for investors follow procedures and review by various agencies including the DENR. He also mentioned that there are other investments that can help the communities and cited the growing oil palm plantations along the Cotabato -Gensan route and the success of the banana plantation of La Frutera of the late Datu 'Toto' Paglas.

Ms. Beverly Besmanos of Bantay Kita replied to the question of Kadinglan by citing BK's effort to buttress the FPIC process. She further cited current efforts funded by USAID at examining MOAs between mining companies and IPs in five areas of Mindanao. These studies reveal that the FPIC process has not been followed along with

TIMUAY SANNTING UNSAD ON MINING:

" Wala akong nakikitang sustainable benefit ng mining.

Pag inalis mo yung top soil ng lupa ng mga katutubo at iniwanan ng company, paano na yung kabuhayan ng mga tao?

Hindi na magamit yung lupa na pagtaniman, ang gamit na lang noon ay libingan ng mga katutubo sapagkat mamatay na sila kung hindi sila makapagtanim ng maayos."

IPRA. The deals have not been transparent. As an example, these mining contracts forget to mention that communities will likely lose their water resources used for farming to make way for open pit mining, etc. Thus, she emphasized the need to make communities understand the business of mining particularly on the technical side of mining.

There are groups that are now reviewing the MOA and the FPIC process for affected communities to better understand the business of mining and know what they stand to lose in exchange for the 20-million royalty share, as an example.

Ms. Besmanos also added that even NCIP negotiators lack the skills when dealing with mining negotiations--MOA and FPIC included. Hence, further training is also needed by NCIP personnel. Some of the questions were noted down for inclusion in the BK presentation.

Ms. Villanueva responded to the questions regarding the methodology and limitations of the scoping study. For one, the research team was not able to get interviews from the mining companies based in Tawi-tawi, thus, the need for validation and dialogue with multi-stakeholders. She also emphasized that AFRIM is not pro-mining and has not been an agent of mining companies. As founding member and board of Bantay Kita, AFRIM strongly supports transparency in the extractive sector through the EITI process and mechanism.

The exchange was followed by the presentation of Bantay Kita by Ms. Besmanos.

After the Bantay Kita presentation, the group was divided into five breakout groups based on the topics outlined in the scoping study.

The outputs of the breakout session are listed below.

MINING
What do you know? • Tawi-tawi is an island. Mining is not appropriate. • Land Grabbing • Mining in Tawi-tawi is through quarrying • Mining firms are not financially transparent. • We are not ready for mining. • Conflicting laws in mining • Mining is a source of conflict • There are two gold mining applications in Upi. • Destructive • Extraction on non-renewable resources is development aggression • Mining is done without proper FPIC • Mining resources are non-renewable • Mining causes ecological imbalance • There is no transparency in mining negotiations

What needs to be done?

- Regulations
- Rehabilitation
- Biodiversity development
- Responsible mining
- Implementation of the FOI law in ARMM
- Multi-stakeholders' dialogue should be conducted before every activity
- There should be an information drive
- There should be discussion about the miners and the employee's labor pains
- There should be transparency in the coordination with all the line agencies
- Mining should stop in Tawi-tawi
- The proper conduct of the FPIC process should be enforced
- The communities should be empowered

LAWS AND POLICY ENVIRONMENT

What do you know?

- There is a lack of environmental advocates in the RLA
- There is no environment law in ARMM (or enforcement of environmental laws)
- There is no mining law in ARMM
- Clean Water Act
- Solid Waste Management Law
- MMA no. 161 or the SFM Act in the ARMM

What needs to be done?

- There is a need to lobby environmental laws and policies among the RLA members
- There is a need to craft a regional law on the environment
- There should be a multi-sectoral group and advocates (of the environment)
- There is a need to develop the technical capacities of the LGU that is related to the management of extractive firms
- Enhance the proposed bill "Mining Act in the ARMM" before it is passed as it has allegedly passed the first reading
- There should be strict compliance of all environmental laws and policies
- There should be wider participation or engagement of stakeholders in policy and law making regarding the environment

INDIGENOUS PEOPLES AND ANCESTRAL DOMAINS
What do you know? • RA 8371 is not operationalized in ARMM • Moros/Muslims in Mindanao are also IPs/Natives • Encroachment of IFMA no. 020 at the municipality of Ampatuan • IPRA adopted by RLA-ARMM in 2003; resolution no. 269 • MMA Act 241 --- Tribal People's Rights Act enacted • Ancestral Domain is a common asset • IPs are stewards of the environment • IPs continue to be marginalized
What needs to be done? • Devolution of NCIP to ARMM --- what will happen to OSCC • Integrate ADSDPP to the LGU's Municipal Development Plan • Amendment of laws like the IPRA • More advocacy • Determine the political boundary of Esperanza, Sultan Kudarat and Ampatuan, Mindanao • The need to preserve the indigenous cultures • Encourage preservation and respect of customs and traditions and identity of IPs

LIGWASAN MARSH

What do you know?

- Siltation
- Degradation of flora and fauna of Ligwasan marsh
- Catchment basin of ARMM
- Composed of three sub marshes
- It is 288 k hectares in size
- Declared as a bird sanctuary as early as 1940
- Rich in peat soil
- It is a potential for tourism
- The marsh is already surrounded by plantations

What needs to be done?

- Information drive
- Empowerment of the communities along the marsh
- Need for Bantay Liguasan
- Need to preserve the biodiversity in Ligwasan
- Illegal fishing in the marsh should stop
- Restrict activities to protect the marsh
- Stop the hunting of endangered species found in the marsh
- Researches should be conducted about the water quality/flora and fauna/ and fishes that inhabit the marsh
- Conduct a feasibility study about the tourism potential of the marsh

QUARRYING

What do you know?

- Extraction of sand and gravel
- Extraction of earth fill
- There is hearsay about plans to quarry sand and gravel in Tubuan River in Upi, Maguindanao

What needs to be done?

- Permits should be required in all activities
- There should be coordination meetings between the LGU and the province
- There should be strict compliance of requirements by those engaged in quarrying
- Regulate all quarrying activities
- Monitor all quarrying activities
- Regulate quarrying of limestone, sand and gravel
- Validate the rumors of plans of quarrying in Upi, Maguindanao

Ms. Villanueva of AFRIM probed the presentation of each group.

Quarrying

First, she asked how licenses are obtained for quarrying and if studies have been done to rehabilitate quarrying areas. Group said that there is a need to coordinate efforts of the LGU to control quarrying. The DENR representative said that their office is in-charge of issuing the permits but lacks monitoring and evaluation of the quarrying outfits. He also expressed concerns about river siltation and shared that quarrying is one way of clearing the accumulated siltation in rivers. There are advantages to quarrying as dredging by quarrying projects provides savings for the local government.

Quarrying is not an issue in some communities because they are not informed of its negative effects, according to one participant. The lack of information drive does not make it an issue even if it should because of its negative effects on the environment and on the community. He added that there are a lot of quarries in Maguindanao and North Cotabato.

Ms. Villanueva explained that quarrying is technically small-scale mining and is, thus, considered an integral part of the extractive industry and EITI. She cited an incident in Davao City when quarrying enfeebled one of the posts of the Bankerohan bridge. Quarrying is a common activity in highly urbanized areas due to increasing demand for construction and infrastructure.

She asked if quarrying, based on the Simuay case, needs regulation? The group answered 'yes'. Ms. Villanueva, then, noted that the group can later identify specific areas with problems in quarrying for regulation.

She also asked the group if they know what the Mindanao Development Agency (MinDA) is doing for the preservation of the river. However, the chairperson of MinDA will soon change with the new administration. This can change the development priorities of the agency as well. During the time of GMA, it was on peacebuilding. It shifted its focus to river rehabilitation in the Pnoy administration.

Eventually, the group agreed that there should be regulation of quarrying activities in order to control siltation and flooding in Maguindanao. Addressing this issue is within the level of the PENRO and the LGUs concerned.

IPs and Ancestral Domains

The key issues surrounding IPs and ancestral domains in the ARMM, according to Datu Maulana, are the gaps in the IPRA which is currently not implemented in ARMM except for Basilan. Ms. Villanueva agreed, further noting that the interpretation of the IPRA has long been a subject of various debates. The classification of tribes/ethno-linguistic groups has been a grey area, especially in the context of the Bangsamoro. For example, a prominent political figure in Basulta once said that "there are no IPs in Basulta." This is not true since there are Sama as well as Badjao minorities, particularly in Tawi-tawi. However, the distinct socio-cultural identities of these minority groups are subsumed under a more collective identity of Bangsamoro or 'one Moro nation' which is currently dominated in numbers by the Tausug, Maguindanao and Meranao Islamized groups. In installing the Bangsamoro political entity, the Teduray and Lambangian groups in Upi whose ancestors converted to Christianity

rather than Islam, are likely to feel threatened of losing their own identities and ancestral lands since the IPRA is currently not recognized in ARMM.

The exchange of opinions encouraged a spirited discussion among the participants. Ms. Villanueva, however, reminded the group that in as far as EITI is concerned, the issue begs the question of who gets the IP royalty shares from mining in Tawi-tawi?

Timway Santing Unsad mentioned Resolution 269 that was passed in 2003, stipulating for the adoption of the IPRA which should have automatically created the NCIP. This law was passed but not implemented in ARMM. It was not well-lobbied among members of the legislative assembly. Sam Guiamla also added that Atty. Fatima Kanakan's agency, the Office of Southern Cultural Communities (OSCC), should be responsible in representing the IPs in ARMM in lieu of NCIP.

Ms. Villanueva further asked the group why there is no NCIP in ARMM when there is such an office in Basilan?

Timway Santing Unsad gave a historical briefer that in the expansion of ARMM in 2001 there was already an NCIP in Basilan. Even as early as 1997, Basilan already has an NCIP office prior to the expansion of ARMM which included Basilan. He also pointed out that, "in 2014, the ARMM Governor was ready to have a MOA with the NCIP chairperson. However, many IPs opposed this, including the OSCC for reasons that I do not know." What is really needed is coordination between NCIP and OSCC, and not rejection. The OSCC has once denied the NCIP's courtesy call during the delineation of Maguindanao's ancestral domain, allegedly saying that NCIP has no right to intervene since ARMM is an autonomous region. Timway Unsad concluded that the OSCC currently has no mandate over the IPRA.

The OSCC representative, Arlene Catuyan, shared with the group that there have been suggestions from the ground for NCIP and OSCC leaders to meet and settle the issue of leadership. However, the OSCC head, Atty. Kanakan, allegedly said that it is up to the ARMM Governor to settle the issue.

To cap the discussion, Ms. Villanueva emphasized that the IP issue needs a lobby group and a champion. Mr. Larzon Santos further asked if AFRIM can inform the governor 'in a collegial manner' of the issue. Ms. Villanueva replied that this can be included in the actions to be taken by the group after the validation.

Priority Issues

Ms. Villanueva clarified that the action plan that would be formulated would have to focus on priority issues that can be addressed within a timeframe of one year. At the end of the day, the doable action plan would have to answer the question, "How can EITI implementation be able to address the priority issues related to extractive industry governance in the ARMM?"

Ms. Villanueva identifies two important issues that need to be addressed. One is the delineation of IPs' ancestral domains within ARMM and the need to push for Resolution 269 at the level of the Regional Governor. Second priority is the need for a basic framework for the protection of the environment upon which other laws will emanate (i.e. mining code, solid waste management, etc.). Ms. Villanueva reminded the group that ARMM has, yet, to pass its environmental law as well as its

mining code. However, the two are different from each other. The environmental law should come before the mining code and this is something to follow up with Asec. Dats Sangkula of DENR-ARMM. Currently there is no MGB –ARMM and this is not a good thing for the extractive sector. According to Asec. Sangkula, the agency was compelled to take over the functions of the MGB since the director has resigned. There were only three personnel under the MGB and not one of them is a geologist.

Since there no exploration activities in the Ligawasan Marsh, it would be best to declare it as a protected area and be included in the crafting of the environment code. This is also part of the proposal of Prof. Bon Pendaliday since the marsh plays a critical role as watershed area that serves not only ARMM communities but also those in as far as Sultan Kudarat and North Cotabato.

The scoping study highlights the vulnerabilities of ARMM communities to the entry of mining investments for lack of information dissemination and community consultation. While mainland ARMM is more on the preventive mode, this does not mean that those who oppose mineral extraction would likely prevent it in the long run. While rumors about gold exploration in Upi need to be verified with DENR, it is quite clear that local communities do not have a voice on this matter. The decision to mine (or not to mine) is mostly confined between the ARMM Regional Government through DENR and BOI, and between local government officials and company representatives. In the case of Tawi-tawi, local communities do not have much of a choice but to allow and monitor the company's operations since mining is already in full swing. However, the company has, yet, to open its books and disclose among others, its annual income and volume of production, as required by PH-EITI.

Given these issues, there is a need to implement EITI in ARMM and build the local capacities of multi-stakeholders on the extractive industry's value chain, as suggested by Ms. Besmanos of BK. As emphasized by Asec. Sangkula, the FPIC process should not only be limited to IPs. On the part of the industry, EITI offers a platform for them to engage directly with local communities, government and civil society groups in a collegial and non-confrontational manner.

Formation of Interim MSG

The participants can endorse an interim Multi-Sectoral Group (MSG) similar to the structure at the national level. The interim MSG will lead the EITI implementation in the ARMM and carry on some of the priority tasks identified in the action planning.

The interim MSG would be composed of 15 regular and 15 alternate members, or a total of 30 members. Five regular and five alternate members would come each from the government, civil society and the industry. While there are no industry representatives in attendance for this leg, the participants can endorse them in absentia to be part of the MSG.

In the final part of the program, participants put forward their nominees to the interim MSG. In the closing ceremony, representatives of government line agencies, local government units, IP groups and civil society organizations shared their impressions about the two-day event. Timway Santing Unsad who earlier thought that AFRIM has become an agent of mining firms, said that he could now "go home and sleep soundly" after realizing that EITI can be a helpful platform in discussing the different issues and concerns of the extractive industry in ARMM and the Bangsamoro.

ZAMBOANGA CITY

The participants were divided into seven groups for the workshop, representing the different stakeholders of the mining industry. Ms. Villanueva who facilitated the exercise briefly explained the mechanics. She emphasized that the workshop is also a role play to surface the good practices, issues and concerns, and capacity needs of different stakeholders that are affected, directly or indirectly, by the mining operations in Tawi-tawi.

Two common issues felt by different stakeholders in Basulta are: a) lack of capacities and b) need to promote transparency and effective communication in relation to the extractive industry.

The outputs of the role play-cum-workshop are shown below.

GOVERNMENT LINE AGENCIES
What are the emerging good practices? • Philippine Mining Act (RA 7942) • Protocol of Mining Operation • Monitoring and Evaluation (MMT) • Qualified/expert human resource
What are the emerging issues and concerns? • Transparency in terms of program implementation • Limited IEC on mining operations
What capacities need to be enhanced? • Add human resource • Implement more programs on IEC/information dissemination
MINING COMPANIES
What are the emerging good practices? • Generate employment • Tax revenue • Sustainable development
What are the emerging issues and concerns? • Transparency and accountability • Channel of communications between mining company and community • No safety net in relation to salary of workers • No contingency plan to address environmental concerns
What capacities need to be enhanced? • Equip knowledge of the community • Localization of the MOA and making it culturally sensitive • Advocacy/IEC on mining

LOCAL GOVERNMENT UNITS
What are the emerging good practices? • Sharing of resources beyond borders • Strengthening of community activities • Provision of educational assistance and livelihood • Promotion/strengthening of religious and spiritual activities
What are the emerging issues and concerns? • Selective of beneficiaries • Institutionalization of the assistance (lack of)
What capacities need to be enhanced? • Transparency, accountability and equality of benefits for the general public
HOST COMMUNITIES
What are the emerging good practices? • Cooperation among community residents • Employment of locals in technical positions • Coordination between companies and LGUs • Maintenance and protection through SDMP and EPEP implementation
What are the emerging issues and concerns? • Land owners' claims • Royalty shares for the IPs • Compliance of EPEP and SDMP • Transparency in payment and collection of taxes
What capacities need to be enhanced? • Land titling and proof of ownership • Identification of IPs entitled to receive the royalty shares • MMT encourages thorough implementation by mining companies • Capacity building

WOMEN'S GROUPS
What are the emerging good practices? • Employment based on merits • Apparent inclusive approach • Honoring past actors (Gagandilan) • Acknowledging gains from the past sacrifices as being enjoyed by the present
What are the emerging issues and concerns? • Limited consultation • Lack of information for the community • Unclear definition of IP • Lack of preparedness for long-term impact
What capacities need to be enhanced? • Consultative strategic planning • Multi-sectoral collaboration • Bridging knowledge gap between experts and community • Sustainable socio-economic development including women • Equal access to health and services
LAND OWNERS
What are the emerging good practices? • Mining activities • Tree planting • IEC on solid waste management • Watershed rehabilitation
What are the emerging issues and concerns? • Soil erosion • Forest destruction • Lumber poaching • Displacement of land owners
What capacities need to be enhanced? • Community involvement and participation • LGU's concern on the care and protection of the environment • People's awareness of the importance of remaining natural resources

OTHER AFFECTED COMMUNITIES
What are the emerging good practices? • More development is being introduced to the community • Basic needs (i.e. food, services and equipment) are being provided and extended to the communities and beyond
What are the emerging issues and concerns? • Alleged displacement of some beneficiaries in other sectors (i.e. fishing and agriculture) • Massive change in the topography of the land
What capacities need to be enhanced? • Regular and strict inspection of MMT sites and adjoining areas • Strong collaboration among LGUs, communities, GAs, and NGOs/CSOs

ACTION PLAN

COTABATO CITY

PRIORITY ISSUES	KEY ACTIVITIES	TIME FRAME	ORGANIZATIONS INVOLVED
Laws and policies • Lack of laws • Lack of environmental code	• Lobby for environmental code • Review existing draft of the mining code in ARMM	Oct-Dec 2016 Oct-Dec 2016	Interim MSG with support from AFRIM and Devcon
Mining • Advocacy to stop mining in Tawi-tawi • Implementation of EITI at provincial level	• Strengthen and build the capacities of CSOs (i.e. MMT in Tawi-tawi	Oct-Nov 2016	AFRIM and Bantay Kita
Ligawasan Marsh • Degradation of critical watershed areas	• Declare as protected area (to be included in lobbying work)	Not a priority within the next six months	NA
IP and AD • Non-implementation of IPRA in ARMM	• Follow up discussion with ARMM Governor on Resolution 269 (devolution of NCIP and what to do with OSCC)	Oct-Dec 2016	Interim MSG with support from AFRIM and Devcon
Quarrying • Regulation of quarrying activities	• Follow up implementation of laws on quarrying	Not a priority within the next six months	NA

INTERIM MSG

COTABATO CITY

MULTI-STAKEHOLDER GROUP (MSG) NOMINEES
GOVERNMENT
1. Department of Environment and Natural Resources (DENR)
2. Regional Board of Investments (RBOI)
3. Office of Southern Cultural Communities (OSCC)
4. Maguindanao Local Government Unit
5. Regional Treasurer's Office (RTO)
CIVIL SOCIETY
1. Institute of Autonomy and Governance (IAG)
2. Development Consultants, Inc. (DevCon)
3. Notre Dame University-Cotabato City
4. Adat-Betad, Inc.
5. Timuay Justice and Governance
INDUSTRY
1. Representative of the quarrying sector operating in Brgy. Simuay (TBD)

ACTION PLAN

ZAMBOANGA CITY

PRIORITY ISSUE/CONCERN	KEY ACTIVITIES	TIMEFRAME	ORGANIZATIONS INVOLVED
Lack of capacities and need to promote transparency and effective communication on mining in Tawi-tawi	Multi-stakeholders' dialogue on mining operations in Tawi-tawi (to include PLGU MLU of Panglima Sugala and Languyan)	Jan-March 2017	Interim MSG with support from AFRIM and Devcon
	Capacity enhancement and learning exchange between Tawi-tawi and other MMT members in other parts of Mindanao	Oct-Dec 2016; Jan-June 2017	Interim MSG with support from AFRIM, Devcon and BK
	Organization of PMRB in Tawi-tawi	April-June 2017	Interim MSG with support from AFRIM, Devcon and BK
	Session on fiscal regimes/revenue streams in the extractive industry	Oct-Dec 2016	Interim MSG with support from AFRIM, Devcon and BK
	Training and production of popular education materials on the extractive industry and EITI	April-June 2017	AFRIM and Devcon

INTERIM MSG

ZAMBOANGA CITY

MULTI-STAKEHOLDER GROUP (MSG) NOMINEES
GOVERNMENT
1. Tawi-tawi PLGU (with Governor Matba as representative)
2. Tawi-tawi Provincial Environment and Natural Resources Office (PENRO)
3. Tawi-tawi Provincial Revenue Collection Office (PRCO)
4. Tawi-tawi Bureau of Fisheries and Aquatic Resources (BFAR)
5. Federation of Municipal Mayors in Basulta
CIVIL SOCIETY
1. Mindanao State University-Tawi-tawi College of Technology and Oceanography (MSU-TCTO)
2. Federation of Seaweed Farmers
3. Tarbilang/Nisa Ul Haqq
4. Tawi-tawi Alliance of Civil Society Organizations (TACOS)
5. Anak Tawi-tawi Youth Association
INDUSTRY
1. SR Languyan Mining Corporation
2. Sands Mining/Hikarijay, Inc.
3. ARMM Business Council/Jolo Chamber of Commerce
4. Pax Libera, Inc.

PRESENTATIONS