



Member
Organizations

Bayog United
Subanon Org.

Center for Social
Concerns and
Development

Convergence
for Peace and
Development

Freedom from
Debt Coalition W.M.R

Gitib

JPIC

Philnet

Pigsalabukan Nog
Bansa Subanon

Save Nature Society

Siocon Federation of
Subanon Tribal Council

Siocon Subanon
Assoc. Inc.

Sisters of Mercy

The Social
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Task Force
Detainees of
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City of Makati

May 3, 2005

We, the DIOPIIM Committee on Mining Issues (DCMI), would like to express our response to the article printed on April 27, 2005 entitled "Defensor to int'l mining foes: Back off, or else..." by Blanche S. Rivera.

The article clearly names our organization as one of the many anti-mining advocates who Environment Secretary Defensor has warned to "back off" from our stance. We are concerned that the article shows a very one sided view of the issue and we would like the chance to clarify our position regarding the work we do.

As far as we can tell, your report was based solely on information that you received from Defensor. Defensor, in turn, appears to be completely relying on information provided to him by TVI and Juanito Tumangkis. The statement provides a much distorted view of the issue and it appears that the Environmental Secretary has not taken the trouble to find out what is really happening in Canatuan.

To set the record straight, we would like to address the following points made by Sec. Defensor:

1. *"I don't mind that they have an advocacy, but for them to agitate, finance people (to go against mining), that's a different thing... I can go to the point of having them arrested if we have proof that they are directly agitating communities".*

Contrary to the Secretary's statement, we are not agitating, and we are certainly not financing, communities to resist mining. In fact, it was the Subanon people of Siocon in the 1990s who first issued statements and resolutions opposing the entry of foreign mining companies and small scale miners to their land. In 1994, TVI entered the community even though the Subanons had consistently stated their opposition to the large scale mining through their traditional representative, Timuay (Chieftain) Jose 'Boy' Anoy.

In November 1997, DCMI was born as a response to the persistent human rights violations and environmental destruction committed by TVI and a number of other mining companies in the Philippines. We are a Church based organization composed of Social Action Centers' Directors, NGOs and Indigenous People's Organizations all over the archdiocese of Ozamiz, the dioceses of Dipolog, Pagadian, and Iligan, and the prelatures of Ipil and Marawi. Our goal is not to agitate, but to advocate for the protection of Filipino land, communities and lives from the unscrupulous hands of powerful business interests. Our role as a watchdog group has become even more necessary in recent years as the Government has become determined to promote mining at any cost.



The Subanons of Canatuan, led by Timuay Jose "Boy" Anoy has long been a partner of DCMI and we are committed to constantly monitor their situation. Our involvement in the issue is motivated by the fact that the Arroyo Administration has done nothing to protect the rights of legitimate ancestral domain holders. This community has not given TVI its Free and Prior Informed Consent and it remains opposed to the company's presence. We urge the DENR Secretary and TVI to present proof that DCMI is agitating the local community.

2. *"Defensor aired the warning after leaders of 2,000-strong Siocon Subanon Association Inc. (SSAI) complained that foreign NGOs were claiming before the international community that the tribe opposed to the mining operation of TVI in Zamboanga del Norte".*

Sec. Defensor met with Tumangkis and his cronies who claim to represent the Siocon Subanon. Tumangkis' role as President of the SSAI is currently a case in the Regional Trial Court of Siocon. His claims to represent the Subanon are unfounded for a number of reasons that we do not have the space to go into here. More background on this issue can be found in the Christian Aid and PIPLinks report on this issue which can be accessed at <http://www.christianaid.org.uk/indepth/412philippines/index.htm>.

Nonetheless, it should be said that Timuay Jose "Boy" Anoy is the legitimate leader of the Subanon from Canatuan and that President Gloria Macapagal acknowledged his place in the community when she entrusted the Certificate of Ancestral Domain Title (CADT) to him on behalf of his community on June 12, 2003. Timuay Anoy's right to lead the community was never called into question until foreign mining company entered the community and was determined operate there at any cost. His leadership has been validated through the traditional court of the Subanon people.

Furthermore, it is true that this issue has been gaining international attention. The people of Siocon have been continually opposed to the presence of TVI in their area and have petitioned and rallied for a number of years. Since the Government seems determined to ignore their protests, they have been forced to find a more sympathetic ear in the international community.

3. *"SSAI President Juanito Tumangkis said the 'biggest problem' of the Indigenous Community in Siocon was the persistent attempt of the NGOs to convince them to oppose TVI operations in their ancestral land".*

The truth is that one of the biggest problems facing the Indigenous Community in Canatuan is that TVI has denied their traditional practices and leadership and has made a mockery of their decision making bodies. The legitimate Subanon bodies have opposed TVI since the beginning.

4. *"But we are not opposed to TVI. We have a MOA (Memorandum of Agreement) with them, and they have agreed to give us royalties. The NGOS are quoting people who are against mining, but there are less than 10 of them".*

Tumangkis and his supporters are not mandated to sign an MOA on behalf of the Subanon Community according to the traditional practices of the Subanon. Tumangkis is not a legitimate or recognized leader. The traditional court of the Subanon found him guilty of betraying the customs and traditions of his people through his signing of the MOA.



5. *"The TVI has already remitted around P1 million to the SSAI since August last year. The Canadian firm has also spent some P30 million for Social Development projects in the community such as school and a medical center."*

This statement is very misleading. Community members frequently tell us that they are not seeing the benefits of these 'community development' projects. For example, community members have informed us that the materials for the school in question were bought through funding from the Country-wide Development Fund (CDF) of former Congressman Angel Carloto of 3rd District of Zamboanga del Norte. It was given the Canatuan Parents and Teachers Community Association (PTCA) as a result of their requests submitted to the Dept. of Education. Although the materials were delivered near the site of the former school in the community, TVI's guards confiscated the materials and delivered them to the area right outside of their compound. They then built the school at that location and took credit for its construction. The people in the community are, understandably, upset at this turn of events because the new school is a long walk from the community on roads that are frequented by large trucks.

6. *"Bernardo said not one of the NGOs have sought out their comments on TVI's operations"*

It is also not true that DCMI has not listened to what the company has to say. Our organization has been to Canatuan many times and has talked to TVI management – although sometimes the company has refused to talk to us and we have been delayed at their checkpoint. We also constantly visit their website and continually read their statements which we then double check with community members.

If Secretary Defensor is going to arrest us, he should at least be honest about the reason. We have never engaged in any illegal activities and have continually tried to be truthful and transparent in our work. Is he threatening to arrest us because we are using our democratic right to free speech? Are we a threat to the Government because we are advocating for indigenous rights, environmental protectionism and sound economic policies? Surely every Filipino should have the right to demand this from their Government. Why are we being threatened if it is not for these reasons?

We would like to extend an invitation to the Philippine Daily Inquirer and Sec. Defensor to visit Dipolog and meet DCMI and the affected communities in Siocon. Come and find out for yourself what is really going on. The Secretary has scheduled several times with the Presidential Assistant for Mindanao to go to Siocon to meet the people from the local government. However, Sec. Defensor has never shown up. We hope that he will sometime in the near future.

Thank you for your time and your willingness to listen to the other side of the story.

For God's Creation,

Most Rev. Jose R. Manguiran
DCMI Bishop's In-charge &
Bishop of Diocese of Dipolog