

Resistance to the Coal Industry's Impact on Mindanao's Ecology

Karl Gaspar, CSsR

St. Alphonsus Theological and Mission Institute, Davao

Abstract

This paper focuses on how the coal industry has expanded in various parts of Mindanao especially in the provinces of Misamis Oriental, South Cotabato, and Surigao del Sur. However, it first provides a historical account of how coal began to be a source of energy generation in the Philippines and how the coal industry has expanded through the past decades. A section of the paper also presents the reasons behind the resistance of international, national, and local groups to the use of coal for fuel. The paper's last section provides the Mindanao case studies of the CFPPs already operating as well as the proposed coal explorations.

Keywords

coal industry, South Cotabato, DENR, Mindanao, RA 7942

Introduction

There is no question that mining remains to be one of the major ecological issues confronting Mindanao. Ever since the Philippine Mining Act of 1995 (Republic Act 7942) was passed into law, two opposing sides have passionately defended their respective positions. On the one hand, big business engaged in mining supported by State agencies and local government units who believe that mining is necessary for the country to increase its Gross National Product (GNP) were pleased with the passage of RA 7942 and hoped that no restrictions would limit both their explorations and operations.

On the other hand, civil society organizations have militantly opposed the law, with various groups staging a series of protest marches, conducting fora, and lobbying before government agencies, some of them even filing a restraining order before the Supreme Court in a desperate attempt to stop the implementation of the law. The most vocal among these groups have been the militant civil society organizations (CSOs) that have mobilized indigenous peoples to join the public demonstrations.

The controversy came to a head when the first newly-appointed Secretary of the Department of Environment and Natural Resources (DENR) under the Duterte administration—the late Ms. Regina “Gina” Paz Lopez who, for many years, had taken a strong stance on anti-mining advocacy—issued the DENR Administrative Order (DAO) 2017-10 that imposed a ban on the open-pit mining practice of extracting mining resources, e.g., gold, copper, silver, as well as complex ores. A report indicated that:

...the ban on open-pit mining put in place by rejected former environment secretary Regina Paz Lopez will be lifted before year-end after the inter-agency Mining Industry Coordinating Council (MICC)... voted to reverse the order. A majority of the MICC members voted to recommend a change in the policy of the DENR with regard to DAO (DENR Administrative Order) 2017-10, particularly, that the DENR lift the ban on open pit mining provided that mining laws, rules and regulations are strictly enforced (De Vera).

The incumbent DENR Secretary, Roy Cimatu, announced this to a group of reporters. Cimatu co-chairs the Cabinet-level, inter-agency MICC with Finance Secretary Carlos “Sonny” Dominguez III. Cimatu said the MICC resolution will be presented in the November 6, 2019 Cabinet meeting, and he expressed optimism that the ban will be removed before the year’s end. He further stated that the DENR will issue an Administrative Order restoring open-pit mining operations.

This new development is bound to see public clashes between militant groups and the police even as more indigenous communities are expected to be in the frontlines opposing this shift in DENR policy. While it is understandable that it is the big mining enterprises engaged in extracting the more high-profile natural resources that have attracted public attention the most, there is also need to look into the expansion of mining of resources such as coal. Naturally, those engaged in extracting gold, silver, copper, iron, and similar resources are the ones being resisted by most environmental organizations as these involve massive investments that consequently bring about serious impact on the environment.

What has brought about the importance of coal in the Philippines today? Data from various sources show that the government’s Energy Plan has recognized the need to diversify the energy sector and to become more energy-independent. While there is interest in expanding renewable energy, fossil fuels are still the main energy resources and dominate primary energy demand with an approximately 86% share of the energy mix. With a population of more than 100 million—increasing yearly at 2.3%—spread across 7,100 islands, providing electricity to all Filipino citizens is obviously a difficult challenge.

For all its reliance on oil imports, the Philippines often still has to contend with electricity shortage as one of its major problems. The government hopes to develop more renewable sources of energy, but whether this will satisfy the growing demand for reliable electricity is questionable. The power outages taking place in most parts of the country at the time of this writing will continue unless the supply side will generate adequate energy. The national government thus was led to the conclusion that to increase

electricity supply, the utilization of coal-fired power plants (CFPPs) must be increased from the current 50% to 75%, thereby generating an additional 25% power supply.

This paper argues that we should also look into how coal is being extracted in the country today, leading to both the exploration of areas where coal can be extracted, as well as the fast expansion of constructing CFPPs. While this has become a major problem in the country, this paper focuses on Mindanao, with case studies involving the provinces of Misamis Oriental, South Cotabato, and Surigao del Sur. However, it first provides a historical account of how coal began to be a source of energy generation in the Philippines and how the coal industry has expanded through the past decades. A section of the paper also presents the reasons behind the resistance of international, national, and local groups to the use of coal for fuel. The paper's last section provides the Mindanao case studies of the CFPPs already operating in Villanueva, Misamis Oriental, the proposed coal exploration in Barangay Ned in the town of Lake Sebu in South Cotabato, and the present coal extraction in Bislig, Surigao Sur.

History of the Coal Industry in the Philippines

Voncken defines coal as a biogenic sedimentary rock formed from remains of plants through a process called coalification (25). It is a combustible rock which is mainly composed of carbon. Various types of coal include peat, lignite, subbituminous, bituminous, and anthracite.

As far back as the 1800s during the Spanish colonial regime, coal was already being tapped for various purposes. This was consolidated during the US colonial period when in 1917, the Philippine Legislature enacted Act No. 2719 titled "An Act to Provide for the Leasing and Development of Coal Lands in the Philippine Islands." It then became known as the Coal Land Act which indicated that "coal-bearing lands may only be leased in blocks or tracts of 400 to 1,2000 hectares each" with the lease "good for periods of not more than 50 years." (Yu 20). The law's concern was to ensure that "coal extraction activities be efficient so as to better ensure a steady supply of coal

rather than with protecting the environment or the rights of the indigenous community over these coal lands” (Yu 20).

A major shift in the State’s policy vis-a-vis coal took place in 1976 when then President Marcos issued Presidential Decree no. 972 (PD 972) also known as the Coal Development Act, which aimed at a major paradigm shift, where energy sourcing will be depending from oil to coal. This legislation further stressed that it was the State’s policy to maximize the utilization of the country’s coal resources, and tasked to pursue this policy was the Coal Development Program. The rapid increase of CFPP facilities in the Philippine energy sourcing mix can most probably be traced to the incentives of PD 972 for the conversion of power plants from oil to coal.

More PDs were issued to consolidate the importance of coal: PD 1174 which granted additional incentives to coal operators and increased the operating expenses reimbursement to be paid by government to the coal operators, followed by PD 1722 which created the National Coal Authority, aimed to create an integrated system of coal’s utilization as a source of energy. Marcos also issued Letters of Instruction (LOI) 1159, 718, 752, and 1084 which were all geared toward consolidating the country’s coal industry.

The latest information provided online by DOE in 2019 indicated that coal production totaled to 15,273,525.21 tonnes. Of these, the biggest percentage (99.45%) was produced by the Semirara firm (“2019 Coal Production”). However, the quality of the local coal does not respond to the level required by some users, so the Philippines imported from various countries a total of 27,692,284.65 tonnes including from Indonesia (constituting 90.20% of imports), South Africa (4.79%), Australia (2.57%), Russia (0.58%), and others (1.86%). Nonetheless, the Philippines still exported its coal totaling 10,242,706.69 tonnes to China (which made up 96.56% of exports), Thailand (2.23%), Taiwan (0.68%), and India (0.53%) (“2019 Coal Production”).

The usage of coal as a main source of energy in the Philippines has increased throughout the years. From almost 1.4 million tonnes in 2000, it has increased up to 15.3 million tonnes in 2017. The main bulk of this extraction has been driven mainly by the Semirara Mining and Power

Corporation, which was granted its Coal Operating Contract (COC) in 1977. It has supplied an average of 94.5 percent of the annual production from 2000 to 2017. Data from 2017 shows that Semirara contains the largest reserves in a region, which transpired following a surge of discoveries in the previous year, when almost 215 million tonnes out of around 221 million tonnes of new deposits were found in the region (“Technical Report” iv).

Since it was first discovered almost two centuries ago, coal has become one of the countries biggest and most utilized source of energy. In 2016, gross generation from coal power plants totaled to 46.7%. The cement industry accounted for 6%, while other industries, such as the metal mining and processing, and food and beverage industries accounted for 7%. The Philippines, however, has to import coal from countries such as Indonesia, Australia, and Russia as the coal sourced in the country is of sub-bituminous type, which is classified as a lower-grade type of coal. In order to be cost-efficient but not sacrificing the energy requirements needed, imported coal is mixed with locally-produced coal (“Technical Report” 1). In a recent data, it shows that the Philippine coal mining industry has produced more than 100.3 million tonnes of coal over the seventeen-year period from 2000-2017, in which the coal level extraction from 2000 is estimated to about 1.4 million metric tonnes and almost increased more than ten times (16.0 million tonnes) in 2017 (“Technical Report” 12).

Insofar as coal resources are concerned, the Philippines is blessed with numerous resources, which only requires exploration and development so that the country can be energy self-sufficient. The DOE’s studies to determine the country’s coal reserves made them claim that there are 2.53 billion tonnes of potential reserves in Quezon, Negros Oriental and Occidental, as well as in the Daguma Mountain range of South Cotabato and Sultan Kudarat, and in other provinces.¹

It is believed that coal will remain a dominant force in terms of energy generation (Domingo). CFPPs are projected to be depended on as a significant source in the Philippines’ energy mix until 2020, despite the environmentalists’ pleas and protests in conserving the environment.

In 2014, the fifth Philippine Energy Contracting Round (PECR-5) proposed fifteen prospective coal areas across Mindanao ("DOE to launch"). Consequently, five firms submitted nine applications to explore seven coal areas in Agusan del Norte and Sur, Surigao Sur, and Zamboanga Norte and Sibugay ("DOE opens Bids"). Following the alternative and more environment-friendly model of maximizing the use of natural gas and geothermal sources of energy, private institutions and corporations are allowed to put up their own plants at the mine site, in order to secure a market for the coal by selling electricity to the grid. Various incentives are also being offered in the form of tax exemptions, payment of tariff duties, and other forms of operating expenses. (Kessels).

Critique and Resistance to Coal's Operations

Coal has been a significant factor that led the planet to the brink of catastrophic climate change (Sangupta). As indicated in the UN's scientific panel on global warming in 2018, the report states that as radical transformation in most of the world's economy transpires, radical measures must be implemented, and one of which is to minimize the utilization of coal as energy source (Tanaka). However, despite such warnings, the dependence and utilization of coal has not been minimized especially in Asian countries. In the past year, reports indicated that "global production and consumption increased after two years of decline" (Tanaka).

Because coal is a powerful incumbent. It's there by the millions of tons under the ground. Powerful companies, backed by powerful governments, often in the form of subsidies, are in a rush to grow their markets before it is too late. Banks still profit from it. Big national electricity grids were designed for it. Coal plants can be a surefire way for politicians to deliver cheap electricity—and retain their own power. In some countries, it has been a glistening source of graft (Tanaka).

If one looks at progressive and rich countries such as Japan, it continues to rely on CFPPs despite global criticism (Sangupta), despite a series of

disasters that have hit this country, thus indicating that the effects of global warning can no longer be denied,

This resource-poor country is sticking with coal-fired energy production that emits more than double the carbon dioxide generated by liquid natural gas-fueled plants. To meet its pledge to the world in the landmark 2015 Paris climate accord, Japan aims to achieve a 26 % cut in greenhouse gas emissions by fiscal 2030 from the fiscal 2013 level. But the government has drawn a lot of criticism from both in and outside the country for going against the international trend to move away from coal (Tanaka).

How harmful have CFPPs been in Japan? Allegations include the following:

Burning coal produces gases that contain pollutants, mainly sulfur dioxide and nitrogen oxide. They are the major sources of PM2.5 airborne toxic particles and ozone pollution that can cause health and environmental problems. The government has ordered all coal plant operators to install filters to eliminate emissions of the harmful substance. But Kiko Network has pointed out that even though operators claim the latest filters can remove over 95 percent of pollutants, it is impossible to stop them all from escaping into the air. According to an estimate based on a 2017 study by Daniel Jacob, an atmospheric chemistry professor at Harvard University, pollutants emitted from coal-fired power plants currently operating in Japan lead to the premature death of 1,117 people every year (Tanaka).

However, there have been some attempts in Japan to cut down on their coal dependence. Recently J-Power scaled down a project to build a CFPP in Yamaguchi Prefecture with two partners owing to international criticism of coal-fired power generation. A plan to construct and operate a power plant which has the capacity of 1.2 million kilowatts in the city of Ube was initiated. It is expected to be fully operational in 2026. At present, Kyushu Electric Power Co., Tokyo Gas Co., and Idemitsu Kosan Co. said they had scrapped plans to build a CFPP in Chiba Prefecture (“J-Power and other firms”).

There has also been resistance from ordinary people “[who] call for the abolition of coal-fired thermal power and an end to construction of new coal

plants in Japan at the COP24 U.N. climate change conference in Katowice, Poland, in December 2018” (“Japan to rule out”). The Environment Ministry said that in principle it would not sanction construction and operation of new CFPPs that will add to existing facilities, in line with Japan’s international pledge to help alleviate issues on climate change and global warming.

Constructing CFPPs have increasingly been criticized as it counters the measures on a global shift to cleaner energy, as stipulated in the Paris Agreement which took effect last year. A worldwide movement, “Divestment,” is geared to end investments and loans to fund CFPP constructions and operations. Two of the powerful countries in the world, Britain and Canada, have spearheaded the scrapping of all their coal plants (Mathiesen).

Then US Federal Energy Minister Josh Frydenberg stated that plans regarding the Carmichael coal mining project, pursued the moral high ground against the government’s critics, who claim that there is “a strong moral case” for mining and coal exportation to underdeveloped and developing countries (Thompson). To understand what is behind this statement, we need to take into consideration the benefits and harms brought about by too much dependence, mining, and usage of coal. There are those who claim that coal mining alleviates poverty by supplying people with cost-efficient and reliable energy but there are also those opposing this view, as coal is the largest triggering factor to increase in global temperatures resulting to global warming, which in turn would place the poor in a disadvantaged position.

In a statement by the Union of Concerned Scientists, it indicated that “the transition away from coal is essential for avoiding some of coal’s worst impacts” (1). Among the ills indicated by this group are the following:

1. **AIR POLLUTION:** This occurs when toxins and pollutants such as mercury, lead, sulfur dioxide, nitrogen oxides, particulates, and various other heavy metals are released into the air due to coal burning. If not immediately addressed, this may lead to cardiovascular, neurological, and respiratory diseases, cancer, and even premature death.

2. **WATER POLLUTION:** When charcoal is used for activities such as home cooking (i.e. grilling), ash is left over. The same is true CFPPs, which account for more than 100 million tons of coal ash annually. More than half

of that waste end up in primary sources of water such as ponds, lakes, landfills, which may lead to contamination.

3. IMPACT ON GLOBAL WARMING: Climate change is coal's most serious, long-term, global impact. Chemically, coal is *mostly* composed of carbon which, when burned, reacts with oxygen, leading to produce more amounts of carbon dioxide, a heat-trapping gas. If carbon dioxide is released in the atmosphere in uncontrollable levels, it works like a blanket, contributing to the earth's rising temperature. If not addressed and prevented at the soonest possible time, some areas in the globe may experience episodes of drought, rise of sea levels, floods, extreme weather conditions, and species loss.

In Bengkulu, Indonesia, the minister demanded a review of a proposed CFPP. A report indicated that "Energy and Mineral Resources Minister Ignasius Jonan confirmed PT Tenaga Listrik Bengkulu's 2x100-megawatt coal-fired power plant in Sepang Bay, Bengkulu City, Bengkulu, Indonesia will be evaluated if a mismatch is found in the Environmental Impact Analysis" (Marini). What brought this about was Bengkulu residents' filing of a lawsuit in the Bengkulu State Administrative Court against the environmental permit of PT Tenaga Listrik Bengkulu, who claimed that the establishment of the CFPP was above the red zone, which is susceptible to earthquakes and tsunamis.

It is clear in this section of the paper that opposition to coal industry's inroads have faced questions in various parts of the world, either in developed countries (Japan, USA, and Canada) and in Third World countries (e.g. Indonesia) owing to its impact on the environment and the people's health and well-being. We now look into what has taken place in the Philippines vis-a-vis the incursions of the coal industry in various provinces.

Through the past decades, as coal extraction expanded and more CFPPs were constructed, there has been resistance from various communities and groups fearful of coal's impact on their lives and well-being. Some of these included the following:

In April 2010, the townspeople of Cantilan, Surigao del Sur, led by Mayor Tomasa Guardo, held remonstrations against the continuation of mining activities in the area conducted by Marcventures Mining and Development Corporation (MMDC). This protest is just one of the many that was held in recent years that call for the cessation of mining activities especially in conserved and protected areas in the country. Environmentalists and other organizations devoted to put a stop on mining activities strongly believed that such activities in protected and conserved areas—or known as Important Biodiversity Areas (IBAs)—is detrimental to the diminishing wildlife in rural areas such as Surigao del Sur.

On the celebration of Earth Day more than a decade ago, another rally was staged and was spearheaded by thousands of environmentalists in Tampakan, South Cotabato and Maasim, Sarangani, to halt the construction of the proposed Kamanga power station to be operated and managed CONAL Holdings. Protesters in Sarangani included leaders of several religious groups and other sectors of the society such as the fisherfolk. Moreover, MSU students and some members of indigenous tribes posited that this project would destroy the waters of Maasim, thus drastically affecting the area's ecologically important zone of coral reefs. The protesters and media were not allowed in the premises of CONAL Community Development Office. Elson Helsa of Maasim Peoples Coalition on Climate Change (MP3C) expressed fears CONAL might finance local candidates who supported the setting up of the plant. Sarangani Governor Miguel Dominguez, Maasim Mayor Aniceto Lopez Jr., and Kiamba Mayor Rommel Falgui announced their support for the project in a community consultation held in 2009. In November 2010, a 75-boat flotilla and a human banner with an estimated 800 participants were formed in the town of Maasim, Sarangani.

In March 2011, residents of Binugao village in Toril, Davao City asked the city government to reject the proposal of Aboitiz Corp. to put up a CFPP. Earlier, the city council approved on first reading the proposed project and forwarded it to the committee on energy, the committee on environment, the committee on health, and the committee on trade and commerce. The four committees were tasked to conduct public consultations on the

proposal. Then Vice Mayor—now Philippine president Rodrigo Duterte was very vocal about his endorsement of the proposed 300-megawatt CFPP, even before the conduct of any study. Eventually, the CFPP was constructed.

Mindanao Case Studies

Three case studies are presented in this paper to show how the process of coal extraction and the construction of CFPPs were aggressively pursued by corporate firms which are fully backed by local government units and state agencies which then resulted in people's resistance.

Case Study 1: Villanueva, Misamis Oriental

In September 2016, just a few months into his presidency, incumbent president Rodrigo Duterte inaugurated the 405-megawatt CFPP in Villanueva, Misamis Oriental. Filinvest Development Corporation (FDC), one of the country's leading conglomerates involved in various business ventures and investments such as property development, banking, hotels and resorts, sugar, and energy, manages this multi-billion infrastructure (Gallardo).

This CFPP is the biggest of its kind in Mindanao and utilizes circulating fluidized bed boiler technology which they claim is "one of the cleanest in the industry" (Gallardo). Local officials welcomed the FDC's plant as it was expected to be a solution to the perennial power shortage experienced in Mindanao, considering that it only has an energy reserve of 131 MW which almost ten times lower than the peak demand of 1,574 MW" (Gallardo).

The choice of Villanueva as a site for the CFPP has its precedence in terms of how this relatively young municipality had entered the global economy. In January 2, 1975, the Philippine Sinter Corporation (PSC) was established at a 155-hectare area within the Phividec Industrial Estate-Misamis Oriental (PIE-MO), located between the towns of Villanueva and Tagoloan. Kawasaki Heavy Industries (KHI) of Japan manages the said company and has become the single biggest Japanese investment in Mindanao.

PIE-MO was the small town's gateway to the world, sending many of the products produced here and in adjacent provinces to other countries'

markets such as Australia, United States, Europe, Africa, Japan, Hong Kong, Taiwan, and China. This global exposure of PIE-MO resident firms is perhaps best exemplified by the construction of a multi-million dollar CFPP now nearing located in Barangay Balacanas (Baños).

Despite the CFPP's contribution in opening this humble town to the global market, some residents have voiced out their concerns as some have referred to CFPPs as dirty, aged, and disastrous, thus the resistance of some town residents (Ocio). He posits that:

[T]he entire provincial government of Misamis Oriental and its provincial board ... had opposed the plan by FDC Utilities Inc. to put up a CFPP in the province... [w]ith a Department of Environment that does not even know how to regulate, monitor, and implement environmental laws on logging and mining, how can we ever expect strict compliance of regulations concerning carbon emissions of aging coal plants dumped and already rejected from other countries (Ocio).

Nixon A. Baban, then chairman of Bangon Kagay-an stated that, “[c]oal is a fossil fuel that is burned during power generation, it unavoidably emits CO₂, one of the major causes of global warming” (qtd. in Ocio). Summarizing the negative impact of CFPP, he gave the following reasons:

1. It is non-renewable and it is causing global warming.
2. Although it is now cheap, if the coal continues to be used in such a way, it will soon be very expensive.
3. Burning a fossil fuel produces carbon dioxide, which contributes to the greenhouse effect, warming the Earth.
4. Coal extraction is dangerous and mining for coal destroys the environment.

Bangon Kagay-an—the group who led the filing of the granted petitions for the Writs of Kalikasan and Mandamus and the pending case for the Temporary Environmental Protection Order against Mining in Cagayan de Oro—persuaded the people, including the youth and other members of the community, through this statement to go against this multi-billion project:

We urge every concerned citizen of Cagayan de Oro and Northern Mindanao to immediately study this matter (Google it, the subject is all over the net.).

Then, let us convene soon and perhaps if the circumstance warrants, bring this matter to the court (Ocio).

Despite the strong opposition from the ground, the CFPP was eventually constructed and is presently operating.

Case Study 2: Barangay Ned, Lake Sebu, South Cotabato

In April 2011, South Cotabato provincial government officials passed an ordinance halting open pit mining activities in the area, which coincided when one of the biggest conglomerates in the country, San Miguel Corporation (SMC), proposed the construction of a 750 MW CFPP. With this announcement, SMC officials indicated that their plan would be affected if coal for the plant is extracted using the strip method, which is considered open-pit mining. In the previous year, San Miguel planned to bring in three coal miners operating in Mindanao to supply the plant: Bonanza Energy Resources, Inc., Sultan Mining and Energy Development Corp., and Daguma Coal and Agro Industrial, Inc. Daguma has reserves that stretch from Sultan Kudarat to South Cotabato (Doguiles).

The coal field is within Kabulnan River Watershed Forest Reserve, which is considered a protected area. President Joseph Estrada signed Proclamation No. 241 signed in 2000 which covers this reserve. The forest reserve is situated above Allah Valley Protected Landscape within the ancestral domain of the T'boli-Manobo S'daf Claimants Organization (TAMASCO). The coal field in Daguma mountain range, which straddles South Cotabato and Sultan Kudarat provinces, contains an indicated resource of 150 million tonnes. The provincial board rejected Daguma Agro Mineral, Inc.'s (DAMI) bid to excavate 126 hectares of the 2,000 hectare Daguma coal field.

The T'boli-Manubo Sdaf Claimants Organization (TAMASCO), a group comprising of several indigenous tribes strongly opposed for this project to continue as they will suffer the severe brunt should this project continue. This indigenous people's organization exerted efforts to mount various activities that call for the cessation of coal mining and the expansion of coffee plantations in this area, which resulted to the demise of eight

tribal members in a military operation at Barangay Ned. Casualties included Datu Victor Danyan, TAMASCO chair, and three of his family members. Civil society organizations called this tragic incident a massacre, which was ensued by protests demanding justice for those killed.

Both the Lumad and the CSOs have claimed that corporate greed and the attempt to grab Lumad ancestral domain were behind the occurrence of this tragedy. Located in fertile rolling hills, Barangay Ned has long held value to various logging, coal mining, and coffee companies. After the incident, this village that was once teeming with life became a ghost town as the residents evacuated to safer grounds. What followed were protest rallies demanding justice for the massacre (Espina-Varona).

San Miguel Corporation or SMC—owned then by Mr. Danding Cojuangco—had acquired three coal mining projects with a total land area of close to 20,000 hectares that would greatly affect the ancestral domains of the T’bolis and the Ned Agrarian Reform Community (ARC). It acquired DAMI and its sister company, Bonanza Energy Resources Inc. (BERI), and Sultan Mining and Energy Development Corporation (SMEDC) coal operating contracts for production and development. SMC was to partner with DMC Construction Equipment Resources Incorporated owned by the Consunjis for this coal project in Barangay Ned. Aside from DAMI, BERI, and SMEDC, another coal operating contract was awarded to Dell Equipment and Construction Corporation which covers 10,000 hectares of land also within the ARC of Ned, thus making this zone the severely burdened by these impacted various coal contracts.

The massacre attracted the attention of General Delfin Lorenzana (Jubelag); he ordered probing on these reported human rights violation allegedly committed by the military. However, Lorenzana also pointed the notorious communist rebel group New People’s Army (NPA) who manipulated members of the indigenous tribes who are strongly resistant into the encroachment of these conglomerates as these will spoil their ancestral domain. He mandated that soldiers who belong to IP groups should spearhead in conducting peace and security tasks in the hinterland villages of

T'boli and Lake Sebu towns which are predominantly inhabited by Blaan and T'boli tribe folk.

Providing a tribute to the Lumads in Barangay Ned, multimedia journalist Keith Bacongco said:

Deep behind the rugged terrains of Daguma Mountain Range, voices of the struggling Lumads remained unheard even after the death of Datu Victor Danyan, his sons and other Lumads on December 3, 2017. The T'boli-Manubo Sdaf Claimants Organization (TAMASCO) endured the agony of being pushed to the fringes due to the encroachment of the coffee plantation in their ancestral domain. Since the entry of the coffee plantation in the area, Datu Victor and the Lumads in the area have been opposing its expansion. Harassment and intimidation have been a part of their daily life. But Datu Victor and his people never backed down. Instead, Datu Victor rallied his people to remain firm in their stand. (Bacongco)

Case Study 3: Bislig, Surigao del Sur

Destruction of 110,000 hectares of land for coal mining is currently the target for the largest coal mining land in Mindanao, which could further the destruction of forests and mountains to give way for mining activities, which will in turn displace people, and may even destroy the livelihood the people's sources of livelihood, as this has been the claim of a militant group in Surigao del Sur (Malaya). Several mining companies such as the Abacus Coal Exploration, Great Wall Mining, Benguet Corporation, and Bislig Ventures, were awarded 20,000 hectares of land to be used for mining activities. In addition, another seven large companies have been allowed to appropriate more than 30,000 hectares for exploration, while another 62,000 hectares are offered to other possible investors.

The Paper Industries Corporation of the Philippines is one of the known mining companies that have exploited the place. Through the years, various companies came and went. First was the Philippine National Oil Company Exploration Corporation (PNOC-EC) operations followed by Sultan Mining—the coal affiliate of MG Mining and Energy Corporation—which assumed the coal drilling and extraction rights in the area covering a total of 10,000 linear miles (LM) vertical non-core and core drilling works.

Later, MG Mining also operated here followed by D.M. Consunji, Inc. The last company that penetrated this area was the Bislig Ventures Construction and Development Inc.-Coal Operation (BVCDI-Coal). More recently, PNOC-EC has recalculated the in-situ reserves in Bislig which it estimates to be between 53.83 to 54.29 million tonnes.

Eventually, the Department of Energy decided that it would no longer give permits to corporations seeking to do large-scale coal mining in Bislig. Instead, they would only allow small-scale mining. However, it has not been easy for the Lumad residents to secure permits. First, there is the need to secure an Area Clearance from the Department of Environment and Natural Resources (DENR) as well as a Free and Prior Inform Consent (FPIC) from the National Commission for Indigenous People (NCIP) since most of the coal areas lie within the Certificate of Ancestral Domain Title (CADT)-approved area. A Lumad also needs to spend money to secure the DOE permit which can only be processed in Manila making this procedure quite expensive. Even when a Lumad household already has a permit, one needs further capitalization to sustain the operations as well as pay for all kinds of charges with various government agencies.

Mining across Surigao del Sur—including areas adjacent to Bislig like Lingig, San Agustin, and Diatagon—have brought about the area’s militarization as government troops have been assigned to this province to protect corporate interests but also as part of the State’s counter-insurgency campaign: “Military presence in Lumad or indigenous communities in Surigao del Sur is meant to stifle local opposition to the entry of mining firms according to leaders of a Lumad organization” (Mordeno).

A series of incidents took were documented between 2005-2007. These transpired in the town of San Miguel particularly in the areas that are part of the Andap Valley Complex, where logging and mining operations are quite rampant. The *Kahugpong sa mga Mag-uuma sa Surigao del Sur-Kilusang Magbubukid ng Pilipinas* (KAMASS – KMP) which was red tagged as members of the NPA because of their strong resistance to these mining activities. On June 28, 2005, Jerry Barrios was a victim of illegal detention as he was accused of being a staunch supporter of the NPA. He was illegally

detained by the 58th Infantry Brigade of the Philippine Army (IB PA) in their headquarters. On August 20, 2005, Hermelino Marqueza, an active member of KAMASS, was one of the casualties of summary executions in Maitum, Tandag, Surigao del Sur. On April 2, 2007, Dandan Quillano, 12 years old, and his mother were killed after members of the 58th IB PA strafed at them along with 9 others in Carromata, San Miguel, Surigao del Sur as they were rad tagged as members of communist groups, according to Col. Jose Vizcarra, Commanding Officer of the 401st IB PA (Caraga).

The anti-mining group Caraga Watch issued a statement on July 21, 2018 pointing five companies that have been gearing up for coal-mining operations in Surigao del Sur. Their target locations are those in the Andap Valley Complex that are constituted by several towns located in Surigao del Sur (Cantilan, Madrid, Carmen, and Lanuza and Tandag City) and Agusan del Sur (including Sibagat and Bunawan). So far, mining operations have not operated only because of the refusal of the Lumads to grant sign the Free Prior Informed Consent (FPIC) agreement.

The Lumads in this territory were made aware of the State's insistence on providing the corporations an entry into their territory:

During the Indigenous Peoples Leaders' Summit in Davao City on 1 February 2018, President Rodrigo Duterte declared he will choose the investors in Andap Valley Complex... [and told them to prepare for relocation], insinuating the dislocation of the Lumad from their ancestral homes amidst combat operations of the AFP to ease the entry of plantations and mining projects (Mordeno).

Earlier in June 2017, through Executive Order No. 30, the President established the Energy Investment Coordinating Council to facilitate the processing of energy projects and investments with national significance. This could only mean that these areas will experience more militarization leading to evacuations—now a common occurrence in some towns of Surigao del Sur.

President Duterte's statement is clearly "indicative of the neo-liberal mindset of the government as it routinely abdicates its responsibility to

indigenous peoples by falsely pinning its hopes on the private sector” [as] “large-scale development projects harm instead of nourish the way of life of the IPs,” according to Norly Mercado, executive director of Legal Rights and Natural Resources Center (LRC) on the occasion of the international day of indigenous peoples on August 9, 2018.

Ironically, the NPA’s presence in Bislig is negligible. There are no reports of an actual guerilla base operating within the city although NPA troops do crisscross its areas now and then. On June 13, 2018, most of the residents of Pamaypayan evacuated to safer grounds when they thought they heard shooting resulting from an encounter of NPAs and the AFP soldiers, although this was not confirmed. But considering that it is located in the more volatile areas of the province, Bislig could easily be drawn into this cycle of violence and could easily also serve as an evacuation destination in case violence erupts on a massive scale.

From these three case studies we can see the same patterns: coal has substantial reserves in various regions which usually are the homeland of the Lumad communities. Coal attracts the attention of corporate mining firms. As the State’s energy policy has sustained the importance of coal, government agencies—and the military—are supportive of these corporate incursions into the uplands. Given the NPA’s presence in the upland guerrilla zones and the eventual opposition of grassroots communities to coal extraction and CFPP construction, militarization ensues. Despite the people’s resistance in collaboration with the support of CSOs, we can expect that the coal industry will continue to expand. Consequently, the environment and people’s lives will continue to be drastically affected.

Conclusion

As can be deduced from the available information and analysis presented earlier in this paper and coming mainly from reports on the ground, we are witnessing at the grassroots level a growing and consistent resistance against the expansion of coal mining and incursion of more CFPPs. Faced however with the material wealth and power of corporate firms and the political might of government agencies, and aided by the military, these sources of

resistance have barely made a dent except for a few successful attempts to block more CFPP construction. There seems to be no dampening of the coal industry's optimism based on what it perceives to be a future that is bright—but bright only in terms of its profitability for business, resulting in a gung-ho attitude unmindful of the industry's ecological impact.

Despite their limited success in resisting the coal industry's push towards expansion, one can expect that grassroots communities, especially the indigenous peoples—fearful as they are of the ensuing ecological devastations—as well as CSOs, will not cease their mass actions or abandon their advocacies. They believe there is so much at stake especially in terms of the long-term effects that they will continue to take to the streets demanding the end to the country's dependence on coal. With what has happened in Misamis Oriental, South Cotabato, and Surigao del Sur, the Church took a strong position to support acts of resistance initiated by grassroot communities and CSOs alike.

Bishop Gerado Alminaza of San Carlos Diocese in Negros, one of the Philippine bishops who has come out publicly with his call to reject coal, was quoted as giving a warning “against the apparent bias for coal on the part of the DOE, which downplayed the contribution of renewable energy to growth in the Visayas, and the impact of these projects on public health and the environment in the region” (Gomez). He expressed his disappointment with the Governor's move “to revoke an executive order declaring Negros Occidental a coal-free province” and the news that “a power firm is planning to build a 3-megawatt CFB (circulating fluidized bed) coal-fired plant in San Carlos in Negros” (LRC).

Why have bishops, priests, pastors, religious, lay leaders, and ordinary churchgoers manifested such resistance? One reason can be traced to the inspiration from no less than the Holy Father, Pope Francis, whose encyclical letter *Laudato Si* has exhorted the world to be concerned about the planet and to help protect the integrity of creation. After *Laudato Si*, the Church is not only concerned on the plight of human beings in the totality of their realities and needs but also on the plight of humanity's common home—the planet that today is facing ecological crises with far-reaching consequences. Pope Francis' encyclical states clearly that “the urgent challenge to protect

our common home includes a concern to bring the whole human family together to seek a sustainable and integral development, for we know that things can change” (No. 13). The following passages from the encyclical are worth citing here *in extenso*:

Many of those who possess more resources and economic or political power seem mostly to be concerned with masking the problems or concealing their symptoms, simply making efforts to reduce some of the negative impacts of climate change. However, many of these symptoms indicate that such effects will continue to worsen if we continue with current models of production and consumption. There is an urgent need to develop policies so that, in the next few years, the emission of carbon dioxide and other highly polluting gases can be drastically reduced, for example, substituting for fossil fuels and developing sources of renewable energy. (26)

Economic growth, for its part, tends to produce predictable reactions and a certain standardization with the aim of simplifying procedures and reducing costs. This suggests the need for an “economic ecology” capable of appealing to a broader vision of reality. The protection of the environment is in fact “an integral part of the development process and cannot be considered in isolation from it.” (No. 141)

Is it realistic to hope that those who are obsessed with maximizing profits will stop to reflect on the environmental damage which they will leave behind for future generations? Where profits alone count, there can be no thinking about the rhythms of nature, its phases of decay and regeneration, or the complexity of ecosystems which may be gravely upset by human intervention. Moreover, biodiversity is considered at most a deposit of economic resources available for exploitation, with no serious thought for the real value of things, their significance for persons and cultures, or the concerns and needs of the poor. (190)

The Pope’s message has reverberated across the world and is sustained by the voices of a growing number of people all over the world as they demand less dependence on fossil fuels and a shift to renewable sources of energy. Officials of the United Nations, Green parties in various nation-states, scientists, theologians, artists, and ordinary folks across divides—class, race, gender, ethnicity, culture, and faith tradition—have converged to

call for an end to the use of coal and other non-renewable energy sources. Only time will tell if their efforts will help save our planet from an ecological catastrophe whose likelihood cannot easily be downplayed in the face of the reality of climate change manifested by, among others, global warming, the melting of polar ice caps, and the concomitant rise of sea level.

Note

1. Readers may want to look at relevant information in the following source: Greenpeace. *True Cost of Coal in the Philippines*. Volume 1. Greenpeace Southeast Asia, n.d.

Works Cited

- “2019 COAL EXPORT.” *Department of Energy, Republic of the Philippines*, www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-exportation.PDF.
- “2019 COAL IMPORTATION based on the ETAs of submitted Coc applications as of 31 December 2019.” *Department of Energy, Republic of the Philippines*, www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-importation.PDF.
- “2019 COAL PRODUCTION (in MT). Run-of-Mine as of May 29, 2020.” *Department of Energy, Republic of the Philippines*, www.doe.gov.ph/sites/default/files/pdf/energy_resources/2019-coal-production.PDF. Bacongco, Keith. *Datu Victor: The ‘thorn’ in the coffee plantation*. bacongco.com/indigenous-peoples/datu-victor-thorn-coffee-plantation.
- Bacongco, Keith. “Datu Victor: The ‘thorn’ in the coffee plantation.” *Keith Bacongco*, bacongco.com/indigenous-peoples/datu-victor-thorn-coffee-plantation.
- Baños, Mike. “Coal-fired power plant ‘globalizes’ Misamis town,” 15 October 2006, *Philstar Global*, philstar.com/nation/2006/10/15/363067/coal-fired-power-plant-145globalizes146-misamis-town. Accessed 15 July 2019.
- “Coal.” *Department of Energy*, n.d., doe.gov.ph/coal-overview?ckattempt=2. Accessed 12 Apr. 2021.
- De Vera, Ben O. “DENR to restore open-pit mining.” *Philippine Daily Inquirer*, 24 October 2017, business.inquirer.net/239163/denr-restore-open-pit-mining. Accessed 21 July 2019.
- “DOE opens Bids for PECR 5—Coal.” *Department of Energy*, n.d., doe.gov.ph/doe-opens-bids-pecr-5-%E2%80%93-coal.
- “DOE to launch PECR5 on coal and petroleum exploration.” *Department of Energy*, n.d., www.officialgazette.gov.ph/2014/05/06/doe-to-launch-pecr5-on-coal-and-petroleum-exploration/.
- Doguiles, Danilo E. “South Cotabato rejects coal mining project in Ned, Lake Sebu.” 27 June 2018, *Philippine Information Agency*, pia.gov.ph/news/articles/1009516. Accessed 16 July 2019.
- Domingo, Ronnel. “Coal remain dominant in PH energy mix”. *Philippine Daily Inquirer*, 12 Jan. 2018, business.inquirer.net/243956/coal-remain-dominant-ph-energy-mix. Accessed 14 July 2019.

- Environment and Natural Resources Accounts Division, Macroeconomic Accounts Service, Sectorial Statistics Office, Philippine Statistics Authority. "Technical Report on Energy Asset Accounts. Asset Accounts for Coal of the Philippines." *Philippine Statistics Authority*, psa.gov.ph/sites/default/files/Asset%20Accounts%20for%20Coal%20Resources%20of%20the%20Philippines.pdf?fbclid=IwAR2Fp2BjBHTQ1yd-zyctYPOKU3ikvYfCkm9eD7to8uoml-PIR8dff2aNgWfw
- Espina-Varona, Inday. "Lake Sebu Lumad massacre followed visit of Barangay Captain." 16 Dec. 2017, *ABS-CBN News*, news.abs-cbn.com/news/12/16/17/lake-sebu-lumad-massacre-followed-visit-of-barangay-captain. Accessed 18 July 2019.
- Francis. "Laudato Si. Encyclical Letter on Care for our Common Home." *The Holy See*, 24 May 2015, https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html. Accessed 22 July 2019.
- Gallardo, Froilan. "FDC coal plant in MisOr connected to Mindanao grid." *Mindanews*, 2 September 2016, www.mindanews.com/business/2016/09/fdc-coal-plant-in-miso-reconnected-to-mindanao-grid/. Accessed 18 July 2019.
- Gomez, Carla. "Negros bishop's call Reject Coal." *Philippine Daily Inquirer*, 26 June 2019, A18.
- "J-Power and other firms to scale down coal-fired power plant project in Yamaguchi Prefecture." *The Japan Times*, 2019, www.japantimes.co.jp/news/2019/04/25/business/corporate-business/j-power-firms-scale-coal-fired-power-plant-project-yamaguchi-prefecture/#.XTMBgugzY2w. Accessed 18 July 2019.
- "Japan to rule out coal-fired plants as International criticism rises." *Institute for Energy Economics and Financial Analysis*, 29 March 2019, <https://ieefa.org/japan-to-rule-out-coal-fired-plants-as-international-criticism-rises/>, Accessed 18 July 2019.
- Jerusalem, Jigger. "Duterte to inaugurate coal-fired power plant in Misamis." *Inquirer.net*, 22 Sept. 2016, newsinfo.inquirer.net/817825/duterte-to-inaugurate-coal-fired-power-plant-in-misamis. Accessed 26 June 2019.
- Jubelag, Joseph. "Lorenzana orders probe into alleged military abuses." 03 March 2018, *Manila Bulletin*, news.mb.com.ph/2018/03/17/lorenzana-orders-probe-into-alleged-military-abuses-on-ips/, Accessed 18 July 2019.
- Kessels, John. "Coal in the Philippines." 26 Mar. 2013. www.worldcoal.com/coal/26032013/coal_in_the_philippines_iaea_cleancoal_centre/. Accessed 12 July 2019.
- LRC-KSK-FOE Phils. *Praymer Mahitungod sa COAL-FIRED POWER PLANT (CFPP)*. Davao City: LRC-KSK-FOE Philippines, n.d.
- . Report from the Legal Rights and Natural Resources Center, 9 Aug. 2018.

- Malaya, Ka Maria. "Statement from NDF-NEMR," 11 January 2016. *National Democratic Front of the Philippines*, www.ndfp.org/destruction-of-110000-hectares-of-land-thousand-dislocated-in-caraga-for-coal-mining/. Accessed 17 July 2019.
- Marini, Helti "Minister Jonan to conduct review of Bengkulu's coal power plant." 24 June 2019, *Antaraneews.com*, antaranews.com/news/127661/minister-jonan-to-conduct-review-of-bengkulus-coal-fired-power-plant. Accessed 18 July 2019.
- Mathiesen, Karl. "UK and Canada announce global alliance to end coal power." *Climate Home News*, 10 November 2017, www.climatechangenews.com/2017/10/11/uk-canada-announce-global-alliance-end-coal-power/.
- Mordeno, H. Marcos. "Group says mining interests behind military presence in Lumad lands." *Mindaneews*, 24 July 2018. www.mindaneews.com/top-stories/2018/07/group-says-mining-interests-behind-military-presence-in-lumad-lands/. Accessed 15 September 2018.
- Morton, Adam. "Coal in Decline." 23 August 2017, *The Guardian*, www.theguardian.com/environment/2017/aug/24/coal-in-decline-an-energy-industry-on-life-support. Accessed 22 July 2019.
- Ocio, Bob. "Dirty, aged and disastrous coal plants." *Sunstar Philippines*. 23 Oct. 2013, Accessed 21 July 2019.
- Sangupta, Somini. "The World Needs to Quit Coal. Why Is It So Hard?" *The New York Times*, 24 Nov. 2018, www.nytimes.com/2018/11/24/climate/coal-global-warming.html. Accessed 22 July 2019.
- Sarmiento, Bong. "South Cotabato board rejects coal mining." *Inquirer.net*, 03 July 2018, newsinfo.inquirer.net/1006360/south-cotabato-board-rejects-coal-mining. Accessed 22 July 2019.
- . "Lumads protest killing of 10 tribesmen in SoCot." *MindaNews*, www.mindaneews.com/top-stories/2017/12/lumads-protest-killing-of-10-tribal-members-in-southcot. Accessed 24 November 2021.
- Tanaka, Chisato. "Japan continues to rely on coal-fired plants despite global criticism." *The Japan Times*, 9 Oct. 2018, www.japantimes.co.jp/news/2018/10/09/reference/japan-continues-rely-coal-eyes-coal-fired-plants-despite-global-criticism/. Accessed 23 July 2019.
- Thompson, Janna. "Is there really a 'moral case for coal'? The answer is about far more than money." 2015, *The Conversation*, theconversation.com/is-there-really-a-moral-case-for-coal-the-answer-is-about-far-more-than-money-49832. Accessed 18 July 2019.
- Union of Concerned Scientists. *Science for a Healthy Planet and Safer World*, 9 July 2019, www.ucsusa.org/clean-energy/coal-impacts, Accessed 18 July 2019.

Voncken, Jack. "The Origin and Classification of Coal." *Geology of Coal Deposits of South Limburg, The Netherlands Including Adjacent German and Belgian Areas*, edited by Jack Voncken, Springer, 2020, pp. 25-40.

Yu, Vicente Paulo B. III. *Ravaging the Earth: Philippine Energy Legislation in the Twentieth Century*. LRC-KSK-FOE Philippines, 1996.