

Workshop on Increasing Policy Makers' Awareness and the Public Acceptance

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Geothermal Development in Mt. Apo National Park, Mindanao, Philippines

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The Mt. Apo Geothermal Project

Highest peak in the country at 3,441 meters
Home of the Philippine eagle

1983-1985- Exploration began

1986- first consultations with municipal and barangay officials on drilling program

1987- granted ECC for drilling program by National Environmental Protection Council

1988- drilling of two wells completed indicating reserves of at least 120 MW

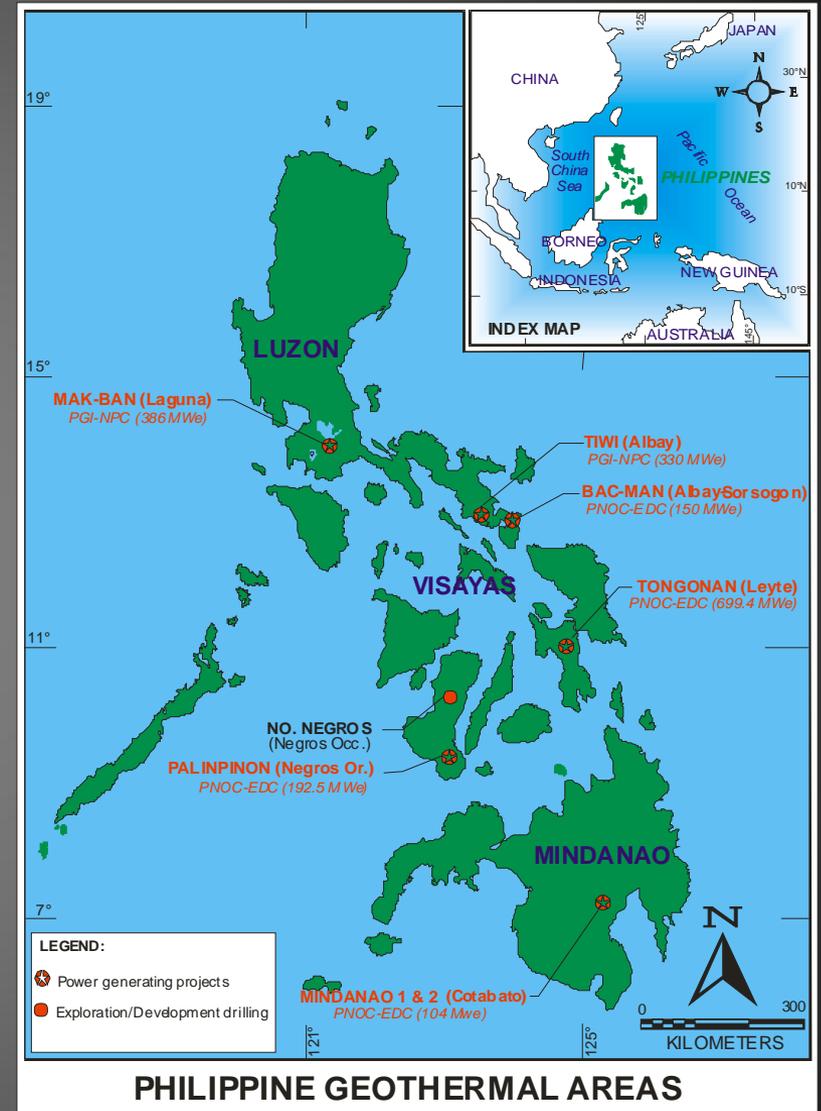
July 1988-first formal protest was released in newspapers alleging infringement on ancestral lands of indigenous communities

1989-Dyandi, a ritual blood compact was performed by tribal people to dramatize their opposition to project at all costs

January 1991- submission of the EIA to DENR

April 20, 1991 – official public hearing was held

Jan 1992- DENR issued the ECC



ISSUES AGAINST THE PROJECT

LEGAL

- PD 705 prohibits exploration and commercial development in national parks
- Section 5, Article XII of the Constitution provision for state's protection on the rights of the cultural minorities to ancestral lands to ensure their economic, social and cultural wellbeing

ENVIRONMENTAL

- H₂S, acid rain and the plant's threat to biodiversity, liquid effluents, land subsidence, induced seismicity, land and water use and noise pollution
- Submission of a third party comprehensive EIA report preferably from the academe dealing with the social, economic, cultural and environmental effects prior to issuance of an ECC by DENR



Source: <http://www.flickr.com/photos/81287608@N00/130011762/>



ISSUES AGAINST THE PROJECT

SOCIO-CULTURAL

- *Lumads*, the tribes living around Mt. Apo, and their concerns were the center of the protests.
- Their cause generated public sympathy and support and became the battlecry the country's streets, papers and forums.
- Affected tribes not consulted
- Tribal deities considered Mt Apo the hone of Apo Sandawa , their ancestors' God
- the operation in Mt. Apo is sacrilegious

ECONOMIC



Displacement of the livelihood and living houses of the tribal people



SUPPORTIVE

- ethnographic survey in Kidapawan – majority had a “positive concept of geothermal energy,”
- 95 percent of area residents approved of the project, perceiving it to have “good effects”.
- The Lumads (Bogobos) in Mt. Apo support the project

Datu Joseph Sibug, a town leader was convinced that the Mt. Apo project would mean development and not destruction to the indigenous peoples

- Political leaders –organized a civilian paramilitary force to thwart NPA rebels who later joined the opposition and call for stopping of the project



OPPOSITION

- main and visible oppositionist were living outside the project area - not the ones directly affected by the operations

Lumad Mindanao

- the main organization against the project
- multi-sectoral solidarity work of church workers critical of the Marcos dictatorship
- associated with the National Democratic
- later carried more nationalistic issues and slogans in its campaign

Task force Sandawa

- the core of the Mt. Apo Geothermal plant opposition which included environmentalists, youth organizations, civic and professional organizations; health or, legal to lobby with the objective of stopping the project
- able to lobby CNRE in declaring PNOC guilty of environmental violation

Catholic Church

- was in the forefront of action and advocacy work.
- owned and operated the dominant radio station around Kidapawan
- consistently served as the 'loudspeaker' of Kidapawan Diocese and of the protest itself.
- repeatedly aired views critical of the military and some government projects



CORPORATE CHALLENGES

- Protests actions and opposition completely unexpected
- All projects went through smoothly
- No precedent on religious activism
- Parameters on social acceptability not determined, may go on with endless referendum and public discussion
- Dyandi –blood compact as a ritual of last resort to stop the project, causing escalation and confrontation with the Bagobo and other Lumads



CORPORATE ACTIONS

- further research and study, consultations and information dissemination campaigns involving baseline studies by the academe
- launching of multi-sectoral information drive aimed at clarifying the issues involved in the Mt. Apo Geothermal Plant. Oppositors knew very little, with impressions heard from radio like frequent earthquakes due to operation
- PNOC conducted 102 information drives involving 4000 individuals from the academe, tribes, NGOs, local government units, socio-civic organizations, and other concerned groups;
- provided benefits to tribal communities in the area
- and invited opponents to visit the PNOC geothermal project in Leyte to inspect for themselves how the PNOC implemented its commitment in the EIA in its operational projects.
- PNOC conducted presentations, complete with slides, maps, and charts disseminate various environmental safety features of the Mt. Apo plant



Typical consultation meeting when starting a project.
(After De Jesus (2005)



- Legal response that, “Energy development is not expressly disallowed within parks.”
- DFA on ASEAN Heritage park issue: the treaty is not a law, implied no international obligation for the Philippines
- PMS on the protection of tribal rights was subject to national development policies and programs: energy development, park conservation, and respect for ancestral rights could be made compatible through an “integrative approach”.
- On cultural issues- 80 percent of Cotabato Manobos on the project site had been integrated into Christian communities; animistic beliefs and practices were not as strict. The 1990 consultations revealed that the tribes reconciled their beliefs with their need for economic development.



CONSENSUS

- Law recognizing the area as their ancestral lands so that rights and privileges could be afforded them as a prerequisite for their project endorsement .
- A petition endorsing the project to the OP with signatures of 90- 95 percent of the residents of the area after due consultation with the communities.
- No basis for displacement of tribal people- moved from place to place in pursuit of their livelihood, those affected during development were offered resettlement package consisting of replacement of lost homes, basic services for 25 years where only 68 affected tribes of 500,000 lumads
- A policy of ensuring priority hiring for actual residents, had an out-of-school youth program to train tribesmen, and would select students for training on technical and administrative positions.
- Discussion on the standard benefits package and the establishment of Council of Elders to look after tribal rights with Kidapawan tribal leaders. They agreed to draw up a plan to protect their traditions, at the same time benefiting from the project.



RESOLUTION

- The President was advised of the impending power crisis in 1992
- Committee to examine the legal, cultural and environmental concerns; draft action plans and submit immediate recommendations; and ensure that PNOC addressed all relevant issues before submitting its formal Environmental Impact Assessment (EIA) to the DENR
- External group of consultants from the academe to conduct impartial evaluation of PNOC's EIA
- A list of legitimate "Datus" were invited by the Office of the Peace Commission (OPC) for consultations
- The end result of wrestling with all these issues was a framework for legal, social, and environmental policies.
- The PMS recommended that 700 hectares of the park be segregated from the national park for geothermal development based on the authority of the President
- In July 1990, the DENR and other concerned sectors defined the scope of the expanded EIA study that would make Mt. Apo geothermal project socially, economically, and environmentally acceptable. In January 1992, the FCC was issued to the project



CONCLUSIONS

Strong opposition to a geothermal project should be handled properly by following the existing environmental compliance certification requirement. Legal, socio-economic and cultural heritage issues could be addressed by conducting a participatory EIA. Getting social acceptability is paramount in mastering all the support for the project which could only be achieved by public consultations and public hearings aimed at educating all stakeholders of the project.



Pamaas , a genuine indigenous ritual called to celebrate the unity and agreement for the operation of the project . (After De Jesus , 2005)