

Empowering the Indigenous Peoples' Community Toward Enhanced Stewardship of its Resources

MAKING ALL
VOICES COUNT







Paradoxes

The paradox of our time in history is that we have taller buildings but shorter temper; wider freeways but narrower viewpoints; we spend more but have less; we buy more but enjoy it less...

Paradoxes

We have bigger houses but smaller families; more conveniences but less time; we have more degrees but less sense; more knowledge but less judgment; more experts but less solutions; more medicine but less wellness...

Paradoxes

We've been all the way to the moon and back but have trouble crossing street to meet the new neighbor.

We have conquered outer space but not inner space; we've cleaned up the air but polluted the soul; we've split the atom but not our prejudice...

Paradoxes

We have multiplied our possessions but reduced our values; we talk too much, love too seldom and hate too often. We have learned how to make a living but not a life; we've added years to life, not life to years...

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MAKING ALL
VOICES COUNT





Major Project Stakeholders

- Making All Voices Count
- Bantay Kita
- FDAI
- CAMMPACAMM
- Local Government Units
- NCIP



Project Objective

- To improve the capacity of IP community to monitor extractive industry operation within their ancestral domain;



Project Objective

➤To facilitate the development of a community-based monitoring tool on extractive industry, royalty payments and agreements; and



Project Objective

- To enhance knowledge management.



Project Desired Outputs

➤A set of guiding principles for IPs upon which monitoring tools, mechanisms for transparency and accountability, and planning may be built;



Project Desired Outputs

➤A monitoring tool for community based agreements (CBA) based on the guiding principles;



Project Desired Outputs

➤A transparent and accountable royalty management process within the IP community anchored on the guiding principles;



Project Desired Outputs

➤A monitoring process of mining concessions through coordinate plotting and high resolution mapping in coordination with the Map the Philippines;



Project Desired Outputs

- IEC materials for further advocacy.



The Challenges

- The target IPO intimated that they would accept the project so long as NCIP and the Provincial Government would endorse it;
- So project endorsement by NCIP and the Provincial Government were sought for and were issued by both.



The Challenges

- But even with the endorsements of NCIP and Provincial Government and the concerned mining company and even with majority members of the IPO, its acknowledged decision-maker had the last say: “WE ARE EMPOWERED, WE DON’ T NEED NGOs, WE ARE IN A GOOD RELATIONSHIP WITH THE MINING COMPANY. WE DON’ T NEED THE PROJECT. ”



The Challenges

- The given reasons of the refusal were all untrue:
 - The 2016 USAID-funded study found out that the MOA between the Mining Company and the IPO has many loopholes;



The Challenges

- The given reasons of the refusal were all untrue:
 - A representative of the mining company, who happens to be a member of the tribe and who encouraged the IPO to welcome the project, attested that whenever the IPO gets their royalty share, the IPO leaders disburse funds without proper recording;

The Challenges

- The given reasons of the refusal were all untrue:
 - A trustee of the IPO shared that the leaders spent funds to “*make them feel that they are leaders*”: in the previous years, among the expenditures of the IPO was the R&R of the entire tribal council in China;

The Challenges

- The given reasons of the refusal were all untrue:
 - The fact that the decision-maker decides on his own and that his words are “FINAL AND EXECUTORY” , means that the IPO is not empowered in the real sense.

The Challenges

- The immediate need then was to look for an IPO that would accept the project.
- Another IPO was willing to accept the project, but their immediate need was not what the project intended to do. For one, the IPO has not received any royalty payments yet.



The Lessons

- IPOs that have already received royalty payments could not be expected to accept project that would demand transparent and accountable financial management from them.

The Lessons

- IPOs that have not yet received royalty payments may be willing to accept project that demands transparent and accountable financial management from them.
- ⑩ But project implementers would have to be creative and willing to change course if and when necessary.



Project Adjustments

- The project did not start with the planned capability building sessions related to transparent and accountable extractive industry.
- Instead the project started with what the IPO believed was their immediate need: A BUSINESS PLAN




Project Adjustments

- The project generally sidelined the Gantt Chart produced when the project was conceptualized...
- Next in the agenda of the IPO was the updating of its ADSDPP, which offered the opportunity for the project to start promoting its objectives.



Project Adjustments

- For one, the IPO wanted to have a “sectoral map” (clan-based territory map) produced, not just a CADT Map.
- This has provided opportunity for the project to accomplish its objective to introduce mapping technology for the IPs.



Project Adjustments

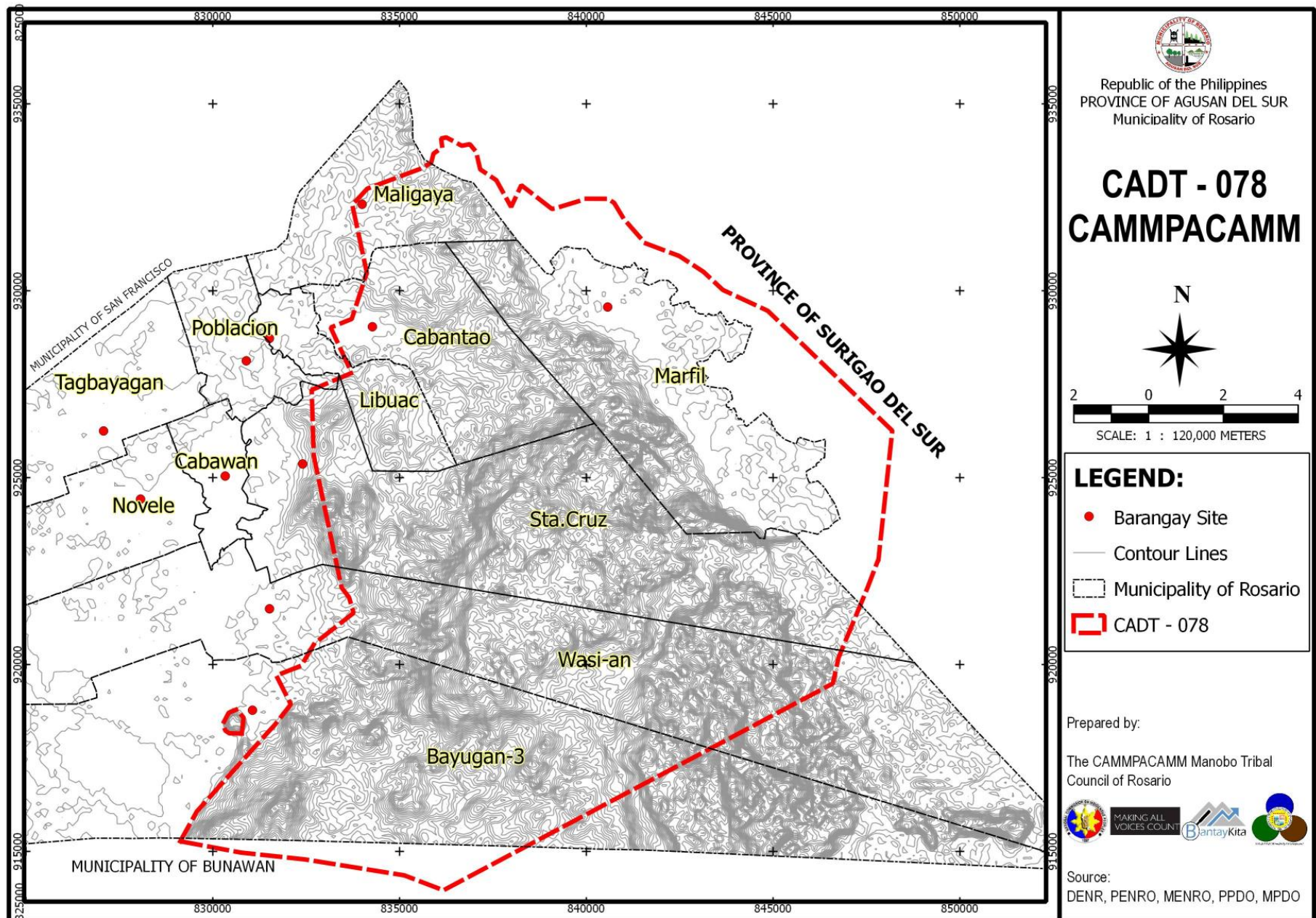
- ADSDPP has to be formulated/updated for it to be the basis of Community Royalty Development Plan (CRDP), so the project took the opportunity to embark into it.



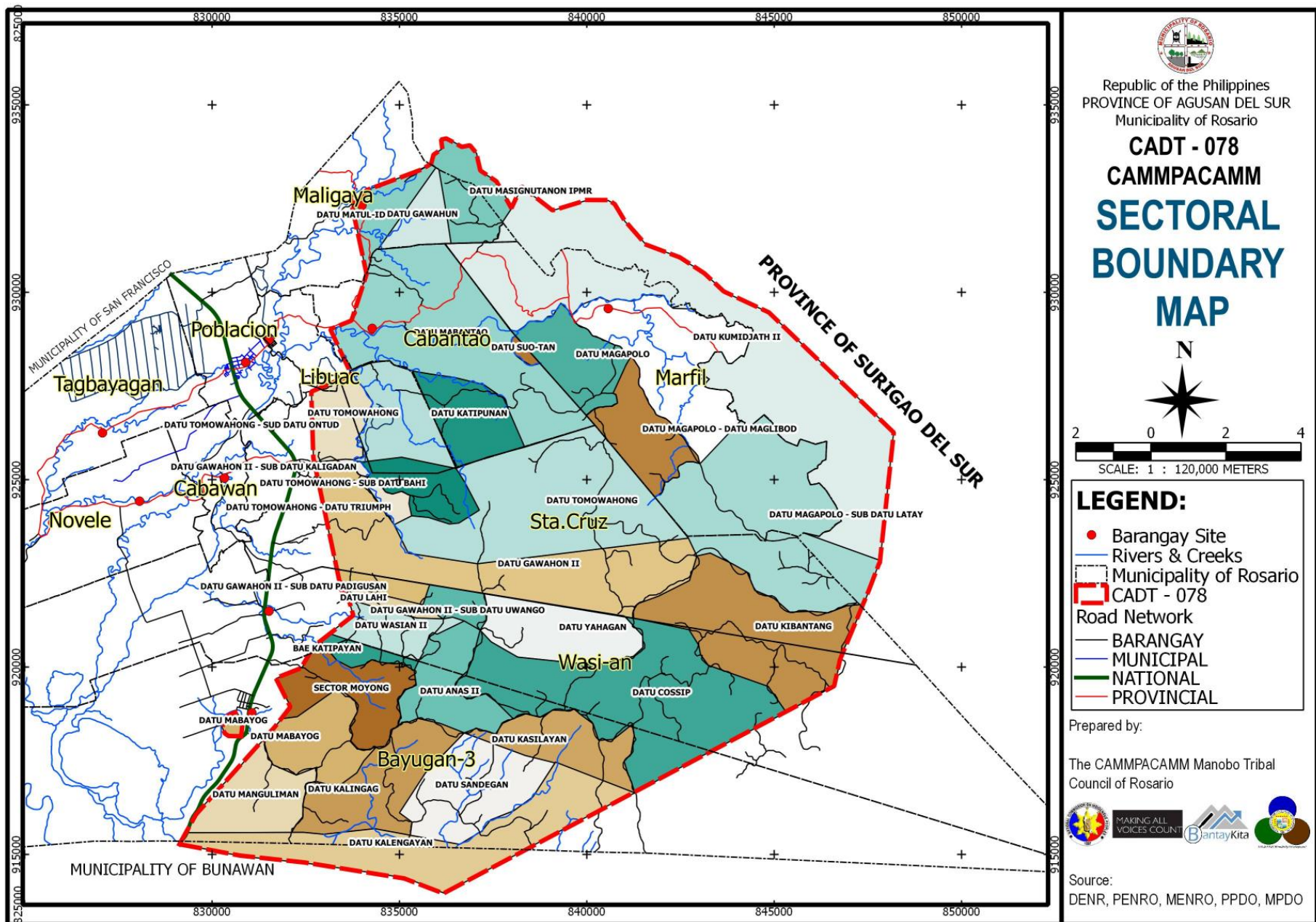
Realities on the Ground

- The following slides present the results of mapping activities to show the current realities within the Ancestral Domain of CAMMPACAMM.
- The question being answered is: Does CAMMPACAMM still have effective control over its Ancestral Domain?

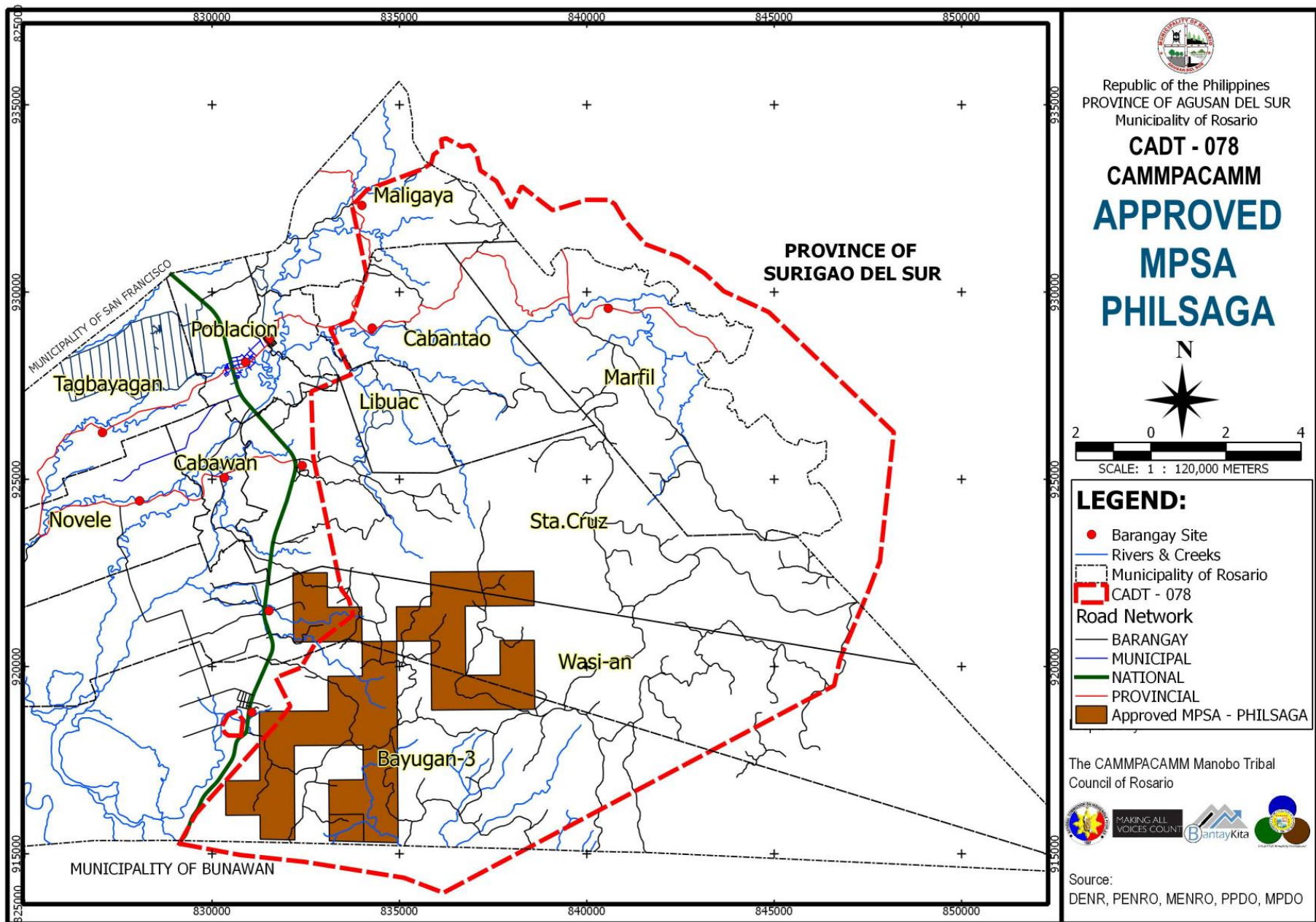
Realities on the Ground



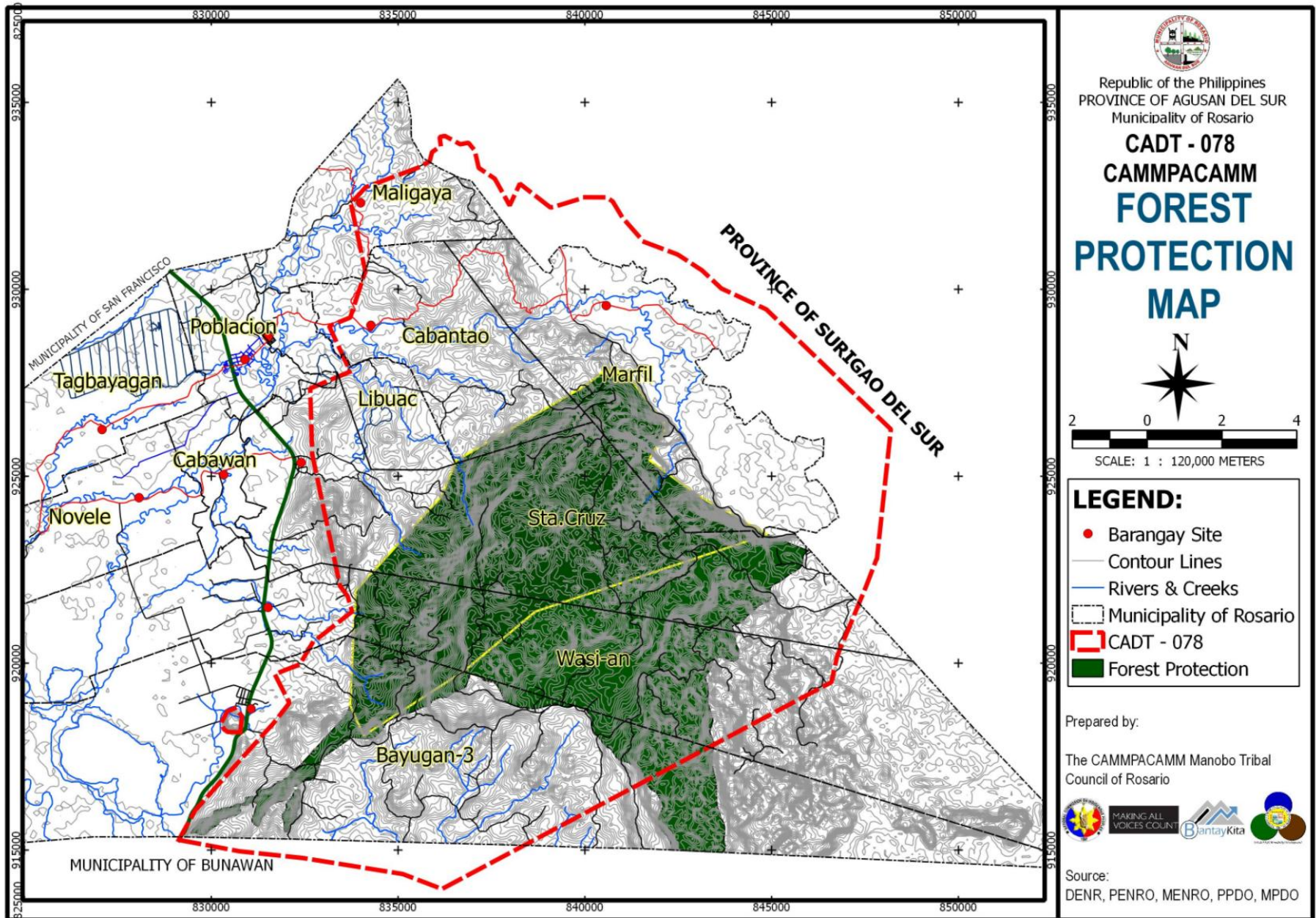
Realities on the Ground



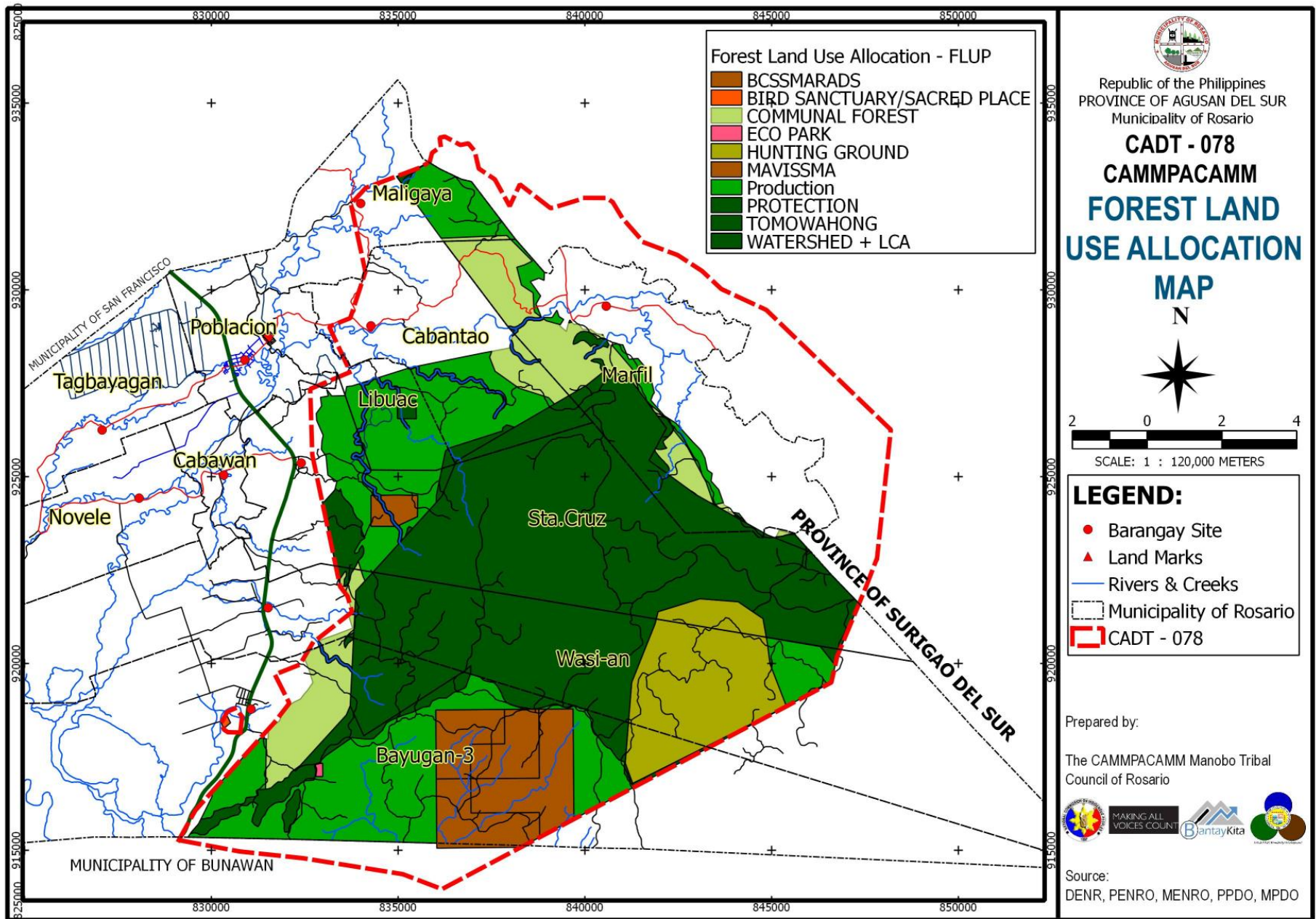
Realities on the Ground



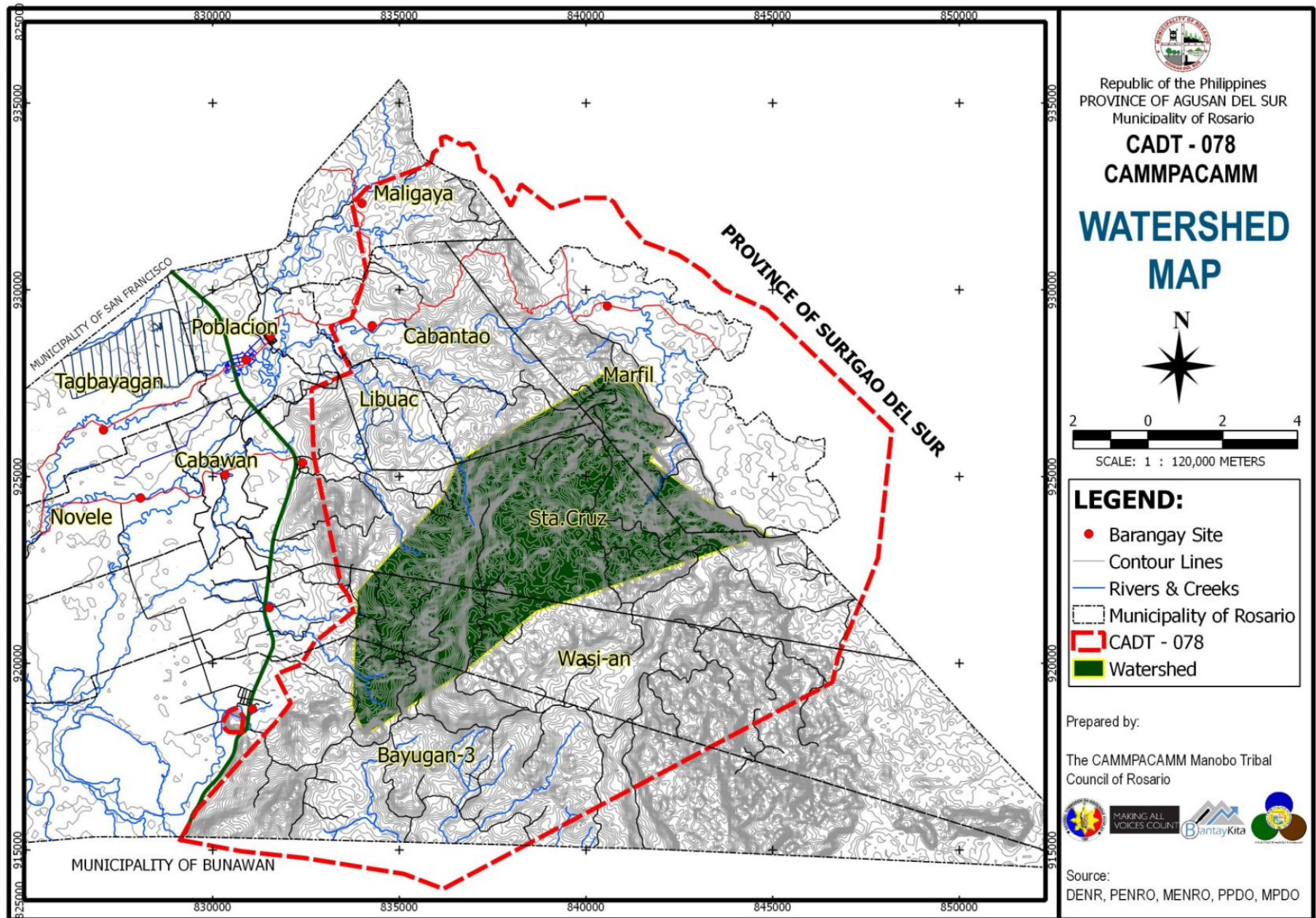
Realities on the Ground



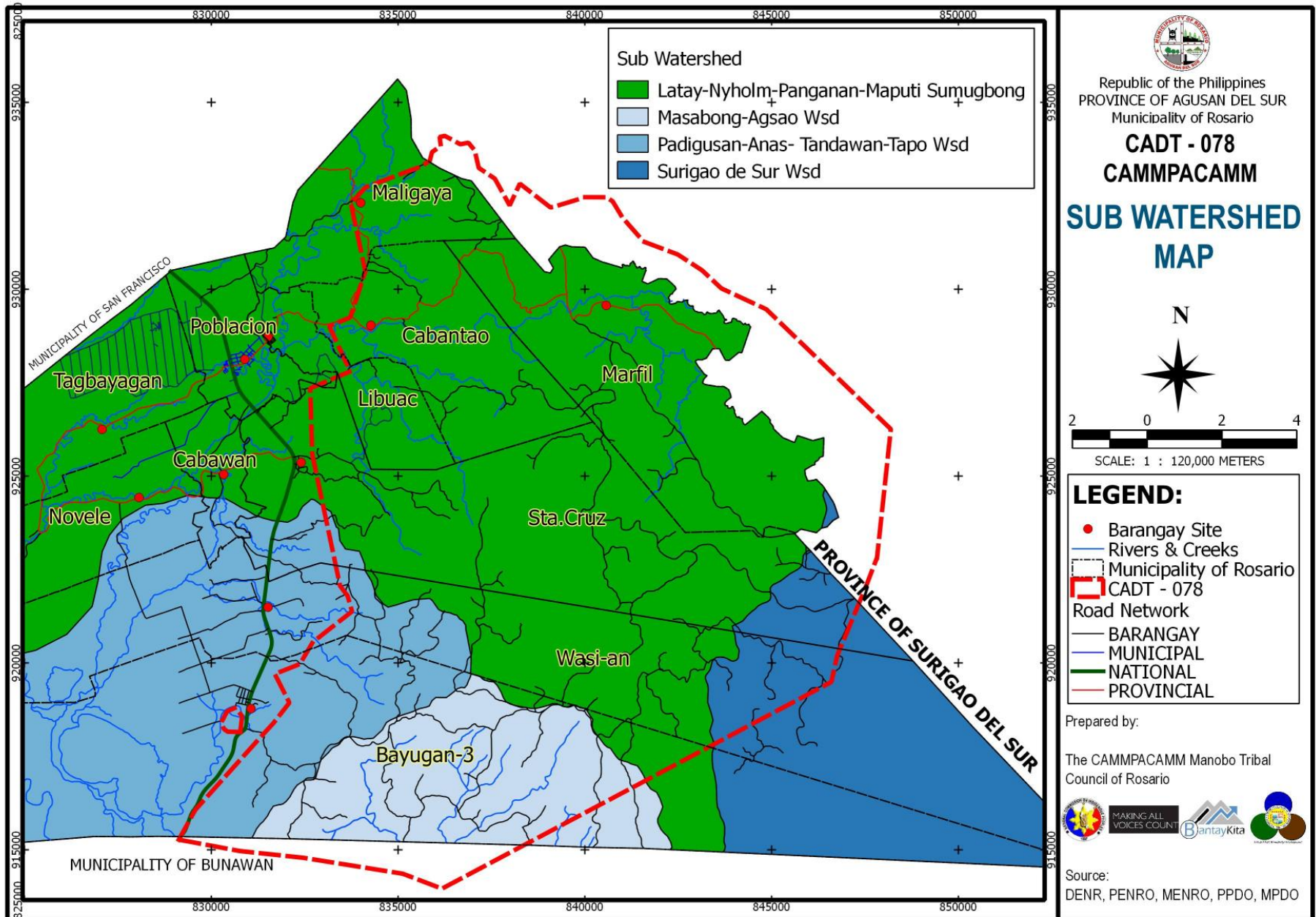
Realities on the Ground



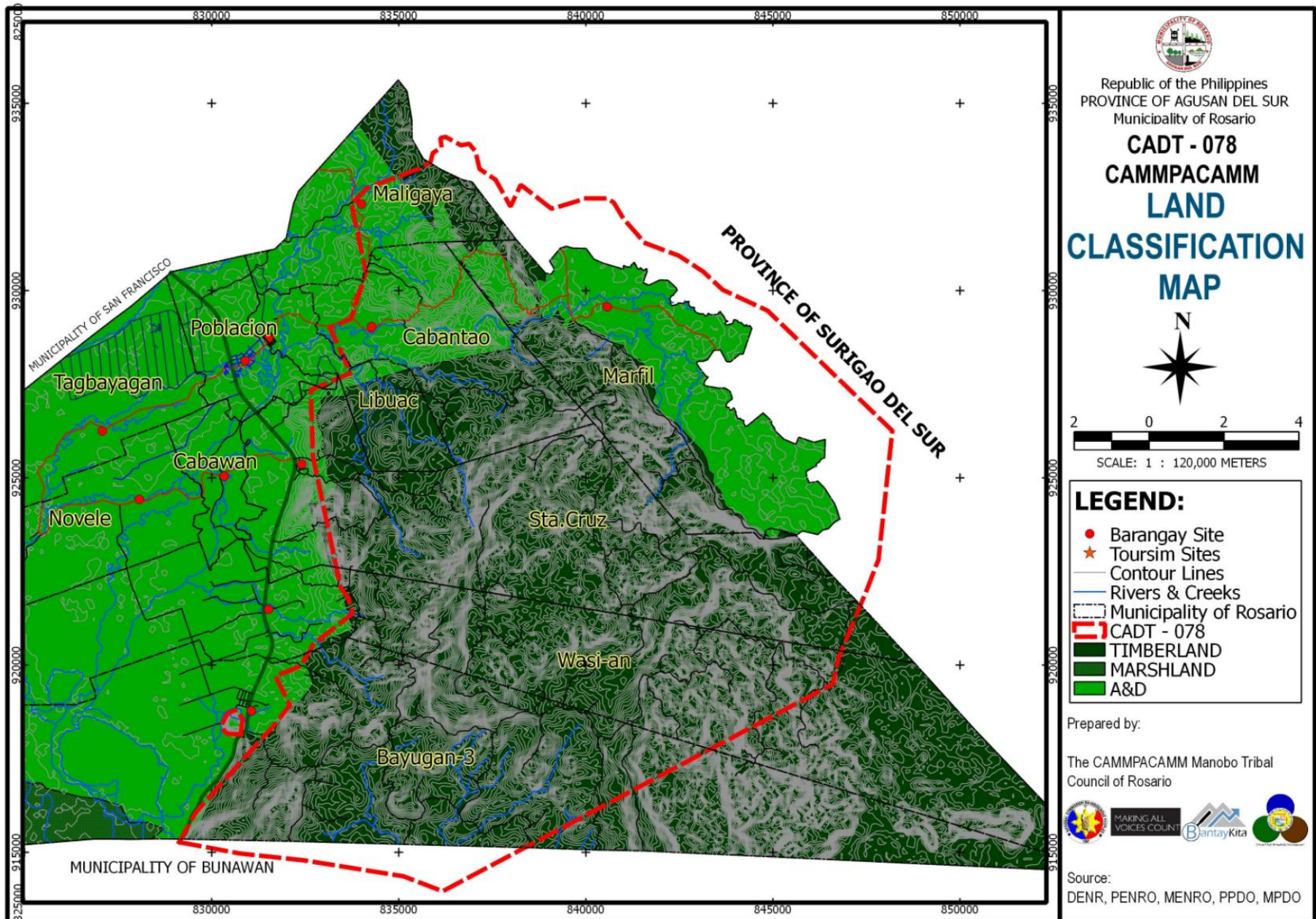
Realities on the Ground



Realities on the Ground



Realities on the Ground





Realities on the Ground

➤ NOT YET REFLECTED ON THE MAP:

- Areas issued with Certificate of Land Ownership Award (CLOA) by the Department of Agrarian Reform
- Bunawan Mining Corporation Exploration Areas
- VPO Rubber Plantation Areas
- Extent of Small-Scale Mining Operations
- Large Agri-business Plantations i.e. Oil Palm and Rubber
- Areas released through Handog Titulo Program
- Areas privately owned (with Transfer Certificate of Title / Original Certificate of Title)
- Areas where Armed Groups have control



Realities on the Ground

- Does CAMMPACAMM still have effective control over its Ancestral Domain?



Realities on the Ground

- CAMMPACAMM acknowledged that it does not have effective control on all areas within its Ancestral Domain.
- CAMMPACAMM' s ADSDPP however assumes that the whole CADT areas are still under its control.



Realities on the Ground

- CAMMPACAMM has received “small amounts” from investors operating within their Ancestral Domain: as financial assistance, (initial) royalty payments, as initially agreed during the conduct of FPIC.
- But CAMMPACAMM expects bigger amounts in the next few years.



Realities on the Ground

- CAMMPACAMM welcomes the opportunity to formulate CRDP.



The Proposed Outline of CAMMPACAMM Community Royalty Development Plan (CRDP)

CRDP: Definition

Development plan for the management of royalty payments observing the principles of:

- ❑ Servant Leadership,
- ❑ Transparency and Accountability,
- ❑ Full Humanity Development, and
- ❑ Intergenerational Responsibility.



CRDP: Outline

I. The Ancestral Domain and the Community

II. The Development Aspirations of the
Indigenous Cultural Community

III. Sources of Royalty



CRDP: Outline

IV. Royalty Management Structure

V. Transparency and Accountability

VI. Planning and Budgeting



CRDP: Outline


VII. Detailed Outline On The Use of Royalty


VIII. Conflict Resolution Mechanism

IX. Monitoring and Evaluation



➤The Project believes that **well-formulated and properly operationalized ADSDPP and CRDP** can be an effective tool in managing resources within the Ancestral Domain.

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- When Bernster Mining Exploration and Agro-Industrial Corporation processed its application for MPSA in areas within CADT 078, CAMMPACAMM was in the position to negotiate what is best for the IPs in the area.
 - CAMMPACAMM showed its ADSDPP and CRDP to the investor as it demanded higher percentage, much higher than the 1% of the Gross Output as Royalty Fee.

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- The response of the company was rather unprecented as it agreed to have CAMMPACAMM as majority owner of the company.
 - To make the intention a reality, the company issued Certificate of Shares of Stock to CAMMPACAMM comprising 7,589,150 shares.

NUMBER

132

Authorized Capital Stock: P100,000,000.00

SHARES

7,589,150

BERNSTER MINING EXPLORATION & AGRO-INDUSTRIAL CORP.

This Certifies that

CAMPACAMM ANCESTRAL DOMAIN MANOBO TRIBAL
ASSOCIATION, INC.

is the owner of

SEVEN MILLION FIVE HUNDRED EIGHTY NINE THOUSAND ONE HUNDRED FIFTY

Shares of the Capital Stock of

*transferable only on the books of the Corporation by the holder
hereof in person or by Attorney, upon surrender of this Certificate
properly endorsed.*

*In Witness Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and to be sealed with the Seal of the Corporation
this 6th day of October AD 2017*


COL. SAMUEL G. AFDAL
President

MARTIN JOHNSON J. HEJE JR.
Corp. Secretary

Shares

1.00

Each.



CAMMPACAMM now owns 25% of the Company, which is set to be renamed as

ROSARIO MANOBO MINING CORPORATION



MATLASA YOKAA!!!