

Strengthening Multi-Stakeholder Participation in Small-Scale Gold Mining Governance in Benguet

A project Implemented by the
Jaime V. Ongpin Foundation. Inc. (JVOFI)

A SCOPING STUDY

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OVERVIEW

A. Objectives and Scope

This scoping study is part of a USAID-funded project of the Jaime V. Ongpin Foundation, Inc. (JVOFI) titled “Strengthening Multi-Stakeholder Participation in Small Scale Gold Mining Governance in Benguet”. It aims to provide an overview of small-scale mining (SSM) in Benguet by describing the major stakeholders of the industry, a brief historical context of the policy environment that they operate in, and to identify and document the issues and concerns that they face. Aimed at being able to provide updated and sufficient information to increase public understanding of the management of SSM in Benguet, this report presents the following:

1. a list of operators registered with the MGB and/or the provincial and municipal local government units;
2. a list/number of unregistered SSM operators;
3. a description of permitting policy (ordinance?) and procedures in Benguet at the provincial, municipal and barangay levels and the list of permittees and applicants;
4. a description of revenue streams/payments for SSM operations;
5. monitoring of SSM operations and its social, economic and environmental impacts at the community level;
6. a description of the sale of gold output of SSM operators;
7. a list (with contact information) and description of SSM associations & federations, services to its members and the community where they operate.

B. Methodology

This study was undertaken for 4 weeks, and field work was carried out from January 15 to February 7, 2018. Data collection was done using a mix of methods including secondary data review and primary data collection through focus group discussions (FGD), key informant interviews (KII) and participant observation.

Secondary data were sourced from the Provincial Government of Benguet and its 13 municipal local government units (MLGU), the Benguet Federation of Small Scale Miners, Inc. (BFSSMI), and the Mines and Geo-Sciences Bureau of the Department of Environment and Natural Resources in the Cordillera Administrative Region (MGB-CAR). Secondary materials included socio-economic profiles, lists of SSM associations, local policies such as environmental codes, executive orders, resolutions, ordinances, and local tax codes (see Annex 1 for list). Published and unpublished literature were also reviewed, most importantly MGB-CAR presentations and reports, on the environmental and social impacts of small-scale gold mining operations in Benguet and South Cotabato by the Alternate Forum on Research in Mindanao (AFRIM) (2012), a seminal work on traditional small-scale mining in the Philippines (Caballero 1996) and a doctoral thesis on the social impacts of mine closure in Itogon, Benguet (Chaloping-March 2008). Primary data came from 71 interviews, 6 focus group discussions and direct observation of activities in 9 SSM areas (See Annex 2 for list). While Benguet was the locus of study, data gathering was focused more in the municipalities with reported small-scale mining operations, namely in Bakun, Bokod, Kapangan, Kabayan, Itogon, Mankayan, Tuba and Tublay.

C. Limitations

The limited duration of the study restricted the amount of time for data gathering, collation and report writing. There was reliance on existing secondary data and literature, and validation from the interviews. Indicative of the inadequate attention devoted to SSM, there was a dearth of data from the MLGUs, specifically on revenue collection from SSM, checklists of the necessary requirements for accreditation or certification, and general information on small-scale gold mining operations. With SSM still considered illegal, there is no complete list on SSM operators and only estimates on the number of mine workers could be provided by the MLGUs and the regulatory bodies, such as the Environment Management Bureau (EMB) of the DENR, the MGB and the PMRB. Further, miners interviewed know of at least 120 gold traders but a list does not actually exist and not presented here. There was also no complete list of associations from the BFSSMI because of the voluntary nature of membership to the federation. At the time of the study, the federation was in the process of updating its database. The authoritative list of operators came from the Provincial ENRO, but is limited to those that have registered for a Minahang Bayan.

BACKGROUND

The province of Benguet is located in the Cordillera Administrative Region (CAR) in Northern Luzon with a total land area of 298,160 hectares and a population of 446,224 persons (2017 PSA). Its various municipalities have been declared and claimed as ancestral domains by indigenous peoples and indigenous cultural communities.

Mining is the second major economic activity in the province, providing employment to about 30% of its residents. There are eleven large-scale mining corporations in Benguet that hold four patented mining claims, eight mineral production sharing agreements and two exploration permits covering a total of 15,547.16 hectares. Of these, only four are currently commercially operating as of December 2017. Small-scale mining (SSM) is also a major livelihood for households in 7 of the 13 municipalities in Benguet.

The background study done by AFRIM defines small-scale mining as mining by individuals, groups, families or cooperatives with minimal or no mechanization, often in the informal sector of the market. Activities rely heavily on manual labor and does not use explosives. The scope of the area allowed for small-scale mining does not exceed 20 hectares per contractor (1991).

A. Policy History of SSM from the Spanish Period to the Present

This section, presented from the Spanish period to the present, attempts to provide a backdrop of the policy framework affecting the mining industry. This summary was from a review of published and unpublished materials and national laws.

1. The Spanish Period

The Southern Cordillera was and continues to be the principal source of gold in Luzon. Mining areas were in the high country with alluvial gold panned in the low streams. Old trade trails connect Benguet with the Pangasinan plains, the Ilocos coast and the headwaters of the Magat river in Nueva Vizcaya. Other areas with gold deposits and alluvial gold were in the Cordillera

Central, specifically the gold mining area in Suyoc which was worked extensively by the local people and alluvial gold in the streams of Tagudin and Santa Lucia on the coast (Keesing 1962:92)

In 1609, Dr. Manuel de la Vega wrote a compilation of the “rich mines of the Ygolotes” entitled Expeditions to the province of Tuy. His information was derived from both Spaniards and Filipinos who had visited the mines. The account describes the gold, mining and distribution mechanism of the Igorots. He wrote:

The Ygolotes descend to certain towns of Pangasinan with their gold, and exchange it for food-hogs, carabaos and rice, taking the animals alive to their own country. Until that food is consumed, or but little time before, they pay no heed to securing any gold. Each man goes to the mine assigned to him, and they get what they need, according to what they intend to buy, and not anymore. They are... void of covetousness... for they say that they have it there for the times when they need it. (De la Vega 1609:302)

2. The American Period

The Spanish mining law continued to be in force until the US congress provided a new mining code in 1902. The Spanish did extensive mineral exploration and some development work, which gave the Americans knowledge of mineral deposits where they could build new mines. The Americans organized companies which had access to capital and not mine on an individual basis as the Spanish had done. More importantly, the Americans attempted to find buyers for their mineral output.

In 1903, the government passed a number of acts which were important to the future of mining. The first, Act 648, allowed the government to set aside land for its own purposes. This was later used to reserve mineral lands for the government's own exploitation. Act 916 changed the Mining Bureau's duties from the administration of Mining Titles and historical records to the function of a Geological and Mining Science Department of the government (Wirkus 1974:34).

In 1909, the US Supreme Court handed down a decision on a case between an American mining claim and an Igorot claiming his family had worked the mineral deposit prior to the former. It said a native and his ancestors that have held and worked a claim continuously, even though without a title, an adverse claim cannot be entered by (the) mere filing of a notice. (Wirkus 1974:35) This decision set an important precedent in Philippine Mining Law and laid the foundation for the concept of indigenous native use rights and gave small scale mining in an area legitimacy under American law.

The period from 1898 to 1918 established gold as a major mining industry in the Philippines and Benguet Province as the major mining area. The prospected areas, developed and brought into production were the major gold mining areas for both the commercial mines and the traditional small-scale miners in the years to come.

On November 15, 1935, the Philippine Commonwealth was installed with a new constitution which marked the end of the freehold period in mining. The new constitution held that all-natural resources belong to the State and their utilization limited to Philippine citizens or to corporations which were 60% Filipino owned. Other laws were established which also directly affected the

mining industry. One dealt with increasing the safety of persons working in the mines and allowed the Director of the Mines to conduct underground inspections. Also, the Division of Mines was separated from the Bureau of Science and elevated to a Bureau under the Department of Agriculture and Commerce. The Mining act of November 7, 1937 was based on the Constitution and contained the following provisions. First mineral exploitation was limited to Philippine citizens or corporations with 60% capitalized by Filipinos. Second, private lands could be prospected with the owner's permission or a court order. Third there were limits set for the areas of claims. Nine hectares was the maximum claim area for metal or metalliferous ore for a corporation or an association. For placer claims, eight hectares was the maximum for an individual and 64 hectares for a corporation. Or association. Fourth and last, the Mining Act established rentals and /or royalties for the privilege of exploiting Philippine minerals (Wirkus 1974;161) (p. 38).

3. Marcos Administration

In 1974, Presidential Decree 463 (also known as the Mineral Development Act of 1974) was issued by Marcos, which intended to provide for an efficient administration and disposition of mineral lands and promote and encourage their development and exploitation. Under the law, mining companies were exempt from paying customs duties and all taxes for machineries, equipment, tools for production, and plants imported for the use of new and old mines. In addition, all mining claims, improvements and mineral products derived from these claims were not liable for the payment of all taxes (PD 463, 1974 Chapter 10 Section 53). While PD 463, is labeled as the country's first Mining Law to provide for ways to deal with environmental and social aspects of mining operations (Cabalda, et al. 2002), it also granted mining companies timber, water and easement rights on mining claims they own, occupy ore lease. (PD 463, 1974, Chapter 11 Sections 56-59).

In 1977, Marcos issued 2 presidential decrees that should have supplemented PD 463. PD 1198 provided that mining corporations "shall to the fullest extent possible restore, rehabilitate and return the lands, rivers and natural environment subject thereof or affected thereby to their original conditions as of before such operations or activities (PD 1198, 1977 Section 1.

4. Post Marcos Period

Under Corazon Aquino, mining firms in the country reached a total of 270, with many of them foreign-owned or foreign-dominated, indicating a 60-40 sharing only on paper (Malig 2002). In July 1987, Aquino issued executive Order 279, authorizing the Secretary of the DENR to negotiate and conclude leasehold agreements with existing and expected proposals from interested parties including foreign owned corporations. The aim was to encourage investment in the mining industry (EO 279, 1987). This authority was formerly a prerogative only for the President of the Philippines. (Malig 2002).

B. Relevant Policies Governing Small Scale Mining

Republic Act No. 7076. People's Small-Scale Mining Act of 1991 sought to rationalize viable small-scale mining activities and to generate more employment opportunities. Its salient features include the declaration of People's Small-Scale Mining Areas to be made available exclusively for small-scale mining operations; the creation of a Provincial/City Mining Regulatory Board as the

permitting and regulatory arm of government for small-scale mining activities, and the P/CMRB to be under the direct control of the DENR Secretary.

Subject to the review of the DENR Secretary, the P/CMRB exercises the following powers and functions:

- Declare and segregate existing gold rush areas for small scale mining;
- Reserve for the future mineralized areas/mineral lands for people's small-scale mining;
- Award contracts to small scale mining cooperatives;
- Formulate and implement rules and regulations related to People's small-scale mining; and,
- Settle disputes, conflicts and litigations over conflicting claims within a people's small-scale mining area.

Section 25 of RA 7076 states that the Board is composed of the DENR representative as chairman, the governor or city mayor or his/her representative, one small-scale mining representative, one big scale mining representative, and the representative from a non-government organization who shall come from an environmental group as members.

Republic Act No. 7160 or the Local Government Code provides provisions for the devolution of some DENR functions to the LGUs. These are the following:

- a. DENR Administrative Order No.30 series of 1992 containing the Guidelines for the for the transfer and implementation of DENR functions devolved to the LGUs are the enforcement of small scale mining laws and the issuance of permits to extract sand and gravel and other quarry resources.
- b. DENR Administrative Order No. 37 that amended DAO No. 30, which states that the issuance of small scale mining permits set by PD 1899 and RA 7076 shall be issued by the provincial Governor.

The Philippine Mining Act of 1995 (RA 7942) or the Philippine Mining Act of 1995 states that it is the responsibility of the State to promote the rational exploration, development, utilization and conservation of the country's mineral resources through the combined efforts of government and the private sector to enhance national growth, effectively safeguards the environment and protects the rights of the affected communities. This principle was the basis that President Benigno Aquino III issued EO 79 on July 6, 2012. It institutionalizes and implements reforms in the mining sector by providing policies and guidelines to ensure environmental protection and responsible mining in the utilization of mineral resources. Consequently, DENR revised the implementing rules of RA 7076 to operationalize these reforms in small scale mining on March 16, 2015. (Revised IRR-RA 7076)

Executive Order 79 Moratorium on New Mineral Agreements under EO 79 provides for a moratorium in the issuance of new mineral agreements until legislative reforms took place. The order provided that "no new mineral agreements shall be entered into until a legislation rationalizing existing revenue sharing schemes and mechanisms shall have taken effect."

Mineral agreements are contracts between the government and a contractor, involving a mineral production-sharing agreement, co-production agreement, or joint-venture agreement (Sec. 3). However, the order does not prohibit existing holders of mineral agreements to continue their activities nor invalidate any of the agreements existing prior to the issuance of the order. The

DENR is only tasked to review the existing mining contracts and agreements for possible renegotiation of the terms and conditions of the same, which shall in all cases be mutually acceptable to the government and the mining contractor (Sec. 4). With respect to small-scale mining permits and contracts, EO 79 directs specific measures for reform. Further, small-Scale mining operations were to comply with RA 7076 and to be pursued in declared Minahang Bayan sites only.

Below are guidelines found in EO 79 on how to improve and address issues on small-scale mining:

- Small-scale mining activities shall comply with RA NO. 7076, or the People's Small-Scale Mining Act of 1991, and the Environmental Impact Statement System requirements under PD 1586;
- Pursuant to RA No. 7076, small-scale mining operations shall be undertaken only within the declared People's Small-Scale Mining Areas or Minahang Bayan;
- Pursuant to Section 24 of RA No. 7076, P/CMRBs in provinces and cities where they have not been constituted shall be operationalized within three (3) months from the effectivity of EO 79;
- Small-scale mining shall not be applicable for metallic minerals except gold, silver, and chromite, as provided for in RA No. 7076;
- The use of mercury in small-scale mining shall be strictly prohibited; and
- Training and capacity building measures in the form of technical assistance for small-scale mining cooperatives and associations shall be conducted by the concerned government agencies (Sec. 11):

According to DAO 2012-07, the Implementing Rules and Regulations of EO 79 (IRR-EO 79), small-scale mining operations covered with SSMPs issued under PD 1899 shall be recognized until their expiration, unless earlier revoked or terminated. The affected small-scale miners operating under SSMPs involving gold silver and chromite were given the option to continue operations through an SSMC issued pursuant to RA 7076. Existing SSMPs with a remaining term of one (1) year may be given a temporary SSMC by the Governor or City Mayor upon the recommendation of the P/CMRB to continue small-scale mining operations within a period of six (6) months or until the area is declared as Minahang Bayan, whichever comes first (Sec.14a).

This section drew from documents sourced from MGB-CAR, EMB-CAR and the EITI Study.

In Benguet, there is no declared Minahang Bayan to date with the MGB and the PMRB sanctioning and regulating small-scale mining activities under PD 1899. There were several attempts way back in 2004 to declare Minahang Bayan areas such as Sitio Bagtangan in Barangay Gambang in the municipality of Bakun, but never materialized.

Pursuant to Section 5 of RA 7076, the PMRB has the authority to declare areas as Minahang Bayan, subject to review by the DENR Secretary. The EITI Scoping study recorded that the PMRB passed last October 24, 2014 Resolution No. 1, Series of 2014 declaring areas already occupied and actively mined by small-scale miners before August 1, 1987 within Benguet as "People's Small-Scale Mining Areas or Minahang Bayan. The PMRB had authorized the

identification, delineation, segregation and validation on the ground of the areas applied for as Minahang Bayan. At present, there are 23 pending applications for the declaration of a Minahang Bayan in Benguet.

The EITI Scoping Study as well as key informants stated that before the passage of EO 79, the Small-Scale Mining Permit issued by the Provincial Governor to the qualified association for a specific area was for a term of 2 years, renewable for the same period. The permit was for the exclusive use of the permittee and was non-transferable unless with the written approval of the Governor. The permit could be suspended or revoked any time by the Provincial Governor, when public interest, welfare, peace and order require or upon failure of the permittee to comply with the terms and conditions of the permit or for ecological reasons. The permit could also be suspended or cancelled in case of any misrepresentation in the permitting process by the permittee.

The permit also provided that in the event the permit encompassed prior valid and subsisting mining claims, the permit shall be automatically cancelled. If it only involved a partial conflict, then such area in conflict with prior valid and subsisting mining claim shall be automatically excluded from the area.

After EO 79 was issued, the Temporary Small-Scale Mining Contracts (TSSMC) executed by the Provincial Governor on behalf of the Republic of the Philippines, as grantor, and by the permittee, were for a period of 6 months only, renewable for a similar period or upon the discretion of the PMRB in accordance with existing laws.

The temporary contracts issued by the PMRB stated that the contractor shall undertake to apply for the declaration of the permit area as Minahang Bayan during the time frame of the contract. On the face of the temporary contract, the basic difference with the previous standard permit, apart from its temporary term of 6 months, are three requirements, namely (a) to undertake mining activities based on an approved mining plan approved by the PMRB, (b) to submit the required documents where the mined area is an existing mining claim or ancestral domain or land, and (c) to pursue the application for the declaration of the permit area as a Minahang Bayan.

Currently, the PMRB of Benguet, led by the MGB Regional Director with the Provincial Governor as the Co-Chairperson, regulates small-scale metallic mining in the province. According to sources in MGB-CAR, the PMRB was created based on a DENR Special Order issued in 1997. Provincial Ordinance No. 04-91 of Benguet also mandated the creation of the PMRB. In turn, the PMRB created its Technical Working Group composed of 2 representatives each from the MGB Regional Office and the Provincial Government. The TWG assists the PMRB in the processing of applications and in monitoring SSM operations. Applications for SSM permits are filed with the PMRB, either through the Office of the Provincial Governor that forwards it to the Provincial ENRO for assistance, or through MGB-CAR. In case of the former, this is then coordinated with the MGB-CAR for verification by the PMRB TWG. The PMRB TWG checks the application in terms of the following documentary requirements, together with the payment of the application/filing fee:

- Properly filled out application form
- A survey plan of the area being applied for with technical description prepared by a licensed Geodetic Engineer, and a sketch plan for gold panning/sluicing
- An endorsement from the barangay and municipality
- Area and status clearance from MGB

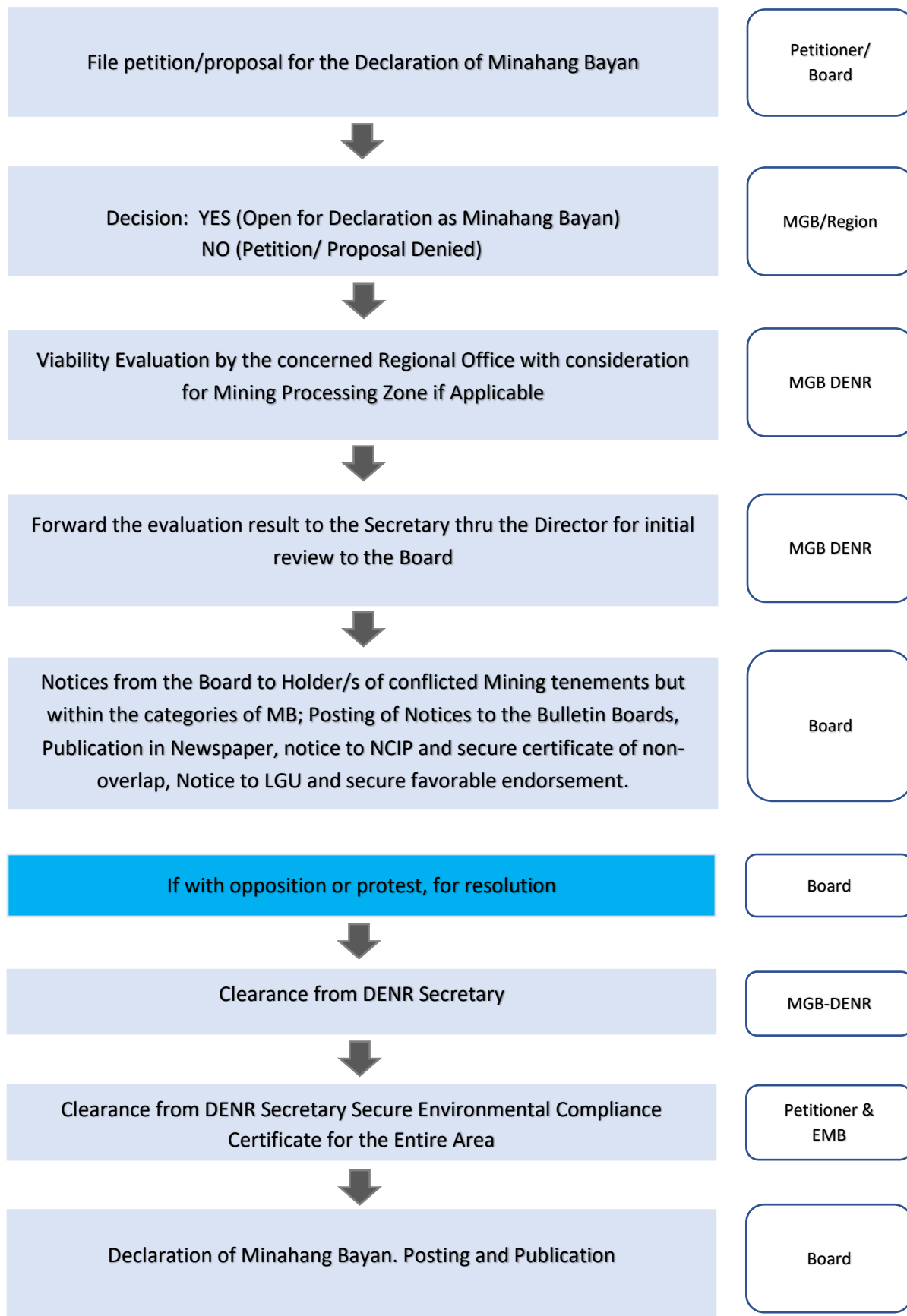
- Written consent of claim owner, landowner, operator, etc.
- Surety bond of P20,000 to guarantee payments of any damages
- Articles of partnership, incorporation, association and by-laws
- Special power of attorney, if filed by an agent

Once an application is determined by the TWG to be complete, a site verification of the applied area is done, also by the TWG. With its report, the application is forwarded to the PMRB for deliberation during its regular meetings every third Thursday of the month. The PMRB evaluates and once satisfied, submits its recommendation to the MGB Director to issue a permit.

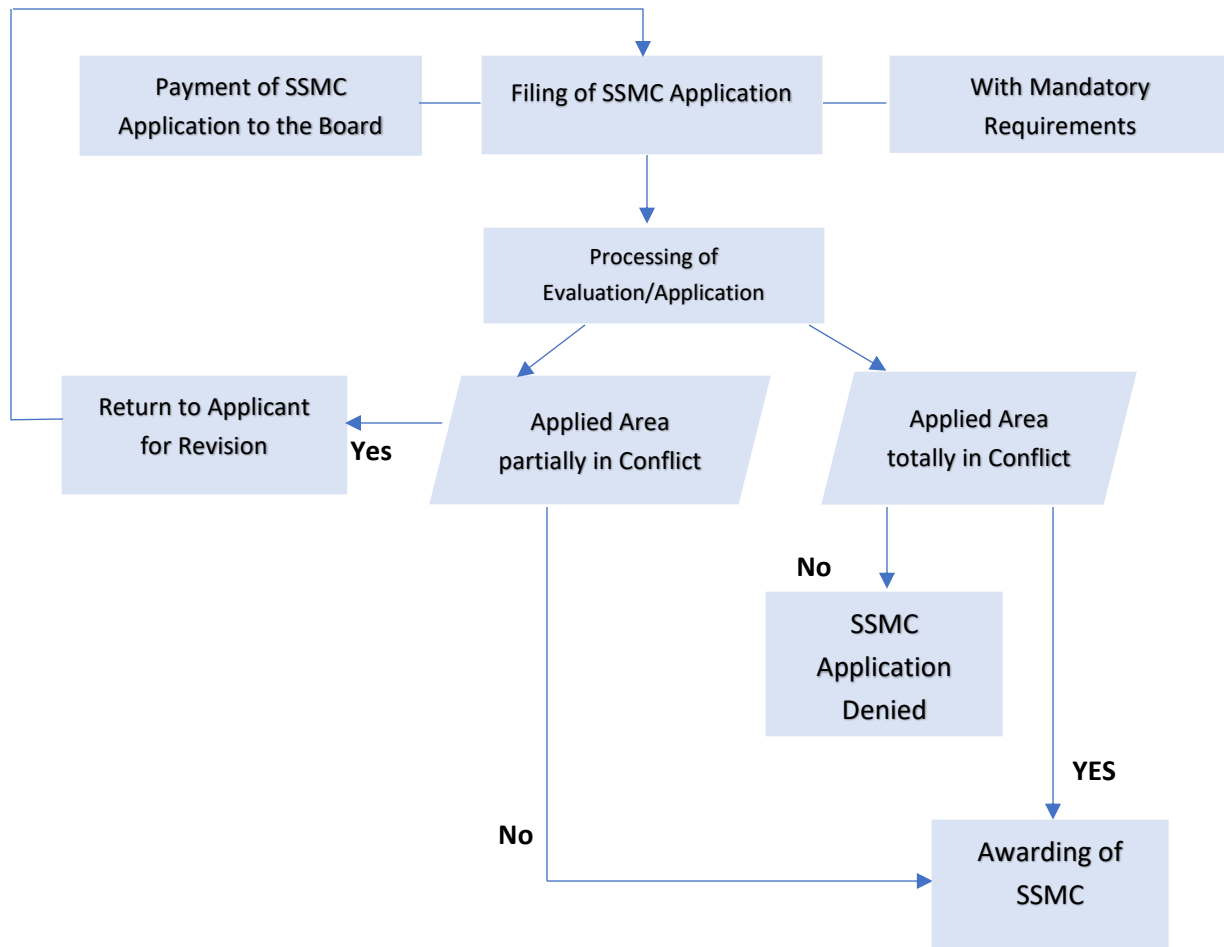
Meanwhile, the application requirements for a TSSMC are the following:

1. Duly Accomplished Notarized Form
2. Application fee of P 10, 000 for non-metallic and P20,000 for gold, silver and chromite
3. Copy of Small Scale Miner's License
4. Location Map of Proposed Small-Scale Mining Area
5. Sketch plan of proposed small-scale mining area
6. Proposed Small Scale Mining Contract
7. Proposed 2-Year Program
8. Potential Environment Impact Management Plan(PEIMP), Annual Health and Safety Plan (ASHP), Certificate of Environmental Management and Community Relations Record (CEMCCRR) and Community Development Management Plan (CDMP)
9. Sworn Declaration of Total Area

Below are charts showing the process for a Minahang Bayan Petition (Source: MGB-CAR):



Process for Awarding Small Scale Mining Contracts



(Source: MGB-CAR)

DENR Administrative Order 2005-07 on the Environmental Impact Assessment Process categorizes mining as an environmentally critical project. Thus, mining operators can only start implementation if they are granted an environmental compliance certificate (ECC). A major requirement for the issuance of an ECC is the social acceptability of the project which is determined by public consultation to ensure that people's concerns are incorporated into the EIA process (DAO 2005-07, 2005).

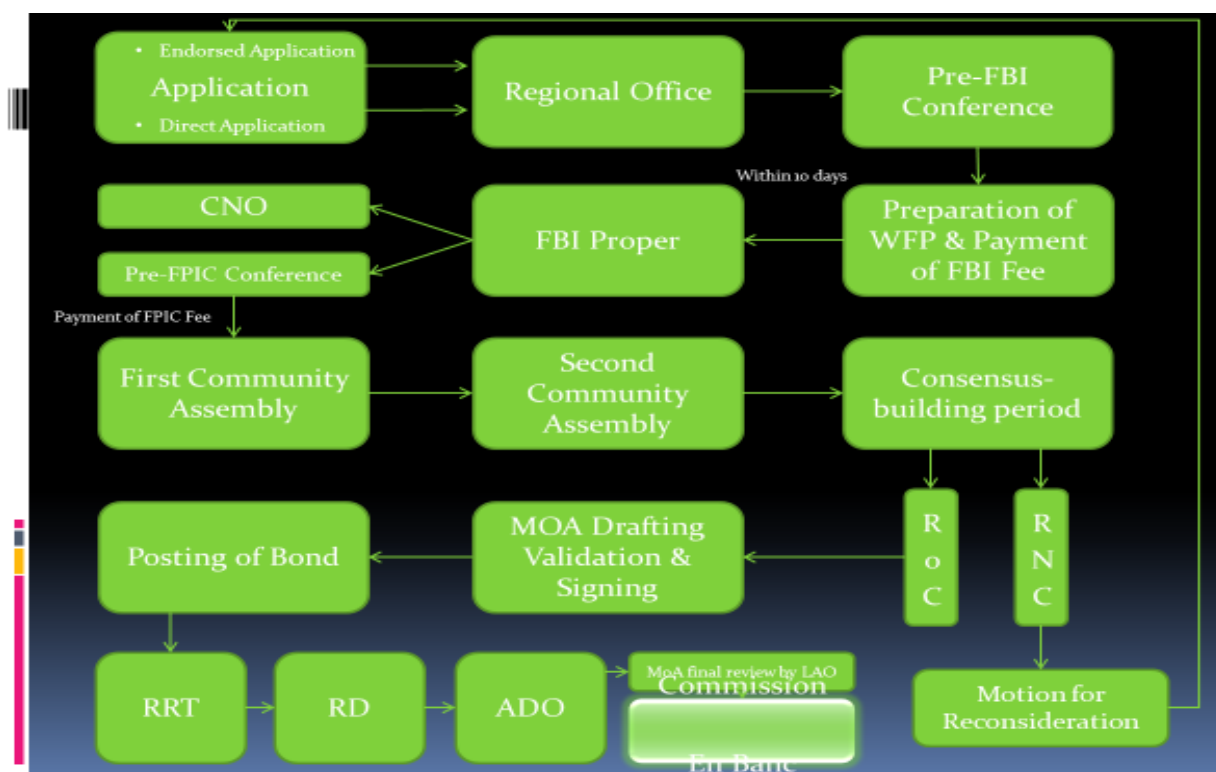
Republic Act 8371 or the Indigenous Peoples Rights Act (IPRA) was passed in 1997 and seeks to recognize, promote and protect the rights of cultural communities to their ancestral domain. It addresses the pursuit of legal reforms to recognize indigenous people's rights. It upholds prior rights of title holders to natural resources. It reinforces the sovereign intent of the 1987 constitution (Section 5 Article 12) to protect the rights of indigenous peoples of their ancestral lands. It also grants Congress the power to provide for the applicability of customary

laws governing property rights or relations in determining the ownership and extent of ancestral domains.

The IPRA recognizes priority use by indigenous peoples rather than absolute title to natural resources. It allows the government to grant concessions for the development of natural resources on indigenous lands subject to their free, prior and informed consent (FPIC). This requirement does not hold true for already existing resource permits and vested rights within ancestral domains prior to the enactment of the IPRA. Under the IPRA, the FPIC of indigenous peoples is to be sought and obtained for any program or project- such as mining – undertaken in their ancestral lands and territories (RA 8371, 1997, Section 56).

Meanwhile, Section 35 of NCIP Administrative Order No. 3 stipulates that the FPIC right of Indigenous peoples is deemed waived if the activity to be implemented in their community has been solicited by the indigenous cultural communities themselves from whatever sources and in any form, with the solicitation made through and signed by the majority members of the Council of Elders/Leaders. (March PP. 118-119)

Presented below is the Free Prior and Informed Consent Process that proponents have to go through.



The Proposed SSM Ordinance of the Province of Benguet (2017-2010) called “Establishing the Framework for the Operation of Small Scale Mining and Quarrying in the Province of Benguet” was filed two years ago by Provincial Board Member Apolonio Camsol. The ordinance attempts to define small scale mining, and proposes provisions for permits and applications, terms and conditions for contracts, imposition of taxes and administrative fees, and other regulations for

small scale mining operation. Its third and final reading was done last January 17, 2018, and was being readied for publication as of this writing. This will be published for several weeks to inform the public, after which the Provincial Governor will sign to make it a formal policy in the province.

Latest Developments

On January 26, 2018, **DENR Special Order No. 2018-53** was passed creating the National Task Force Mining Challenge (NTFMC) with the following duties and functions: formulate plans of action in addressing the issue of illegal mining activities in the country; undertake immediate actions to address the identified illegal mining hot spots in the country; initiate and coordinate with the DENR field offices in the enforcement of mining and other environmental laws, rules and regulations; confiscate all minerals, equipment, conveyances and other items in relation to the conduct of illegal mining operations; and, ensure the appropriate administrative, civil and criminal charges are filed against illegal miners and companies.

THE CURRENT SITUATION OF SMALL-SCALE MINING IN BENGUET

A. Current Status of Minahang Bayan Applications

Small-scale mining in the Philippines is governed through DENR Administrative Order (DAO) 2015-03 signed on March 16, 2015. This policy provides the revised implementing rules and regulations of Republic Act 7076 otherwise known as the “People's Small-Scale Mining Act of 1991”. Under state law, a small-scale mining operation is considered legal if it is within a declared Minahang Bayan and operating with a small-scale mining contract. In Benguet to date, no application to operate a Minahang Bayan has been approved by the DENR Secretary. However, a number of SSM operations are deemed legal under an old Presidential Decree that allows them to hold temporary SSM certificates.

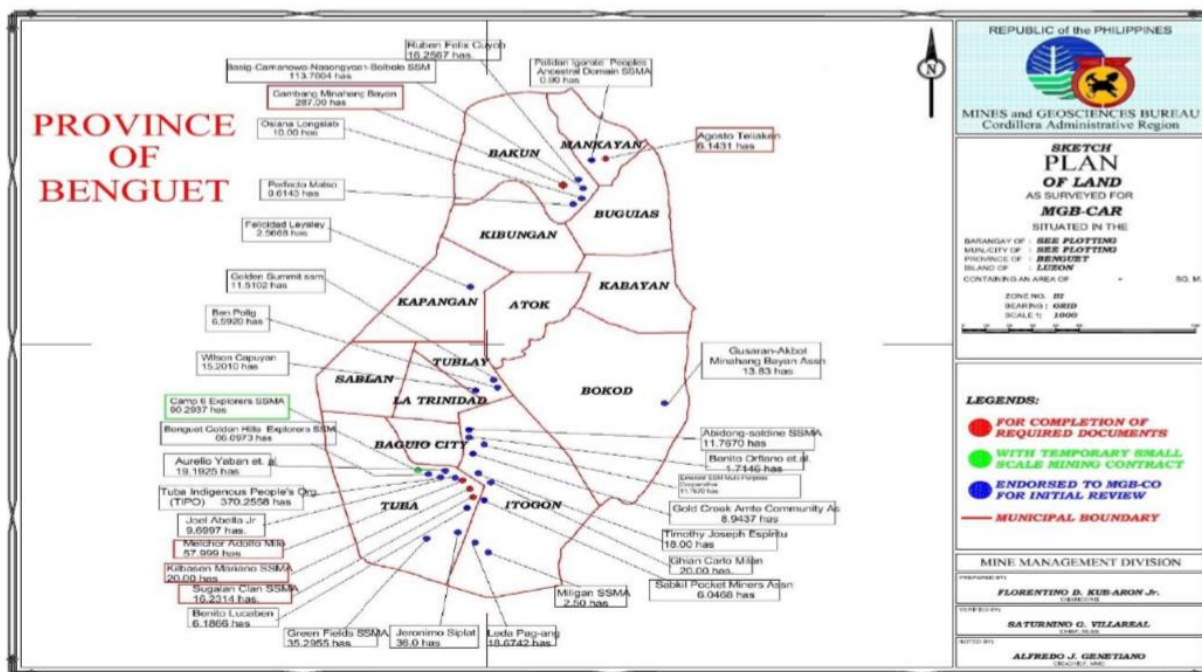
In 2016, the Benguet Provincial Mining Regulatory Board declared a total of 12 areas in Itogon and Tuba as potential “Minahang Bayan” sites. Following this declaration, the BFSSMI completed the requirements and applied for SSM contracts under the declared Minahang Bayan sites. These sites are located in the barangays of Gumatdang, Loacan, Poblacion (Central), Tinongdan, Tuding, Ucab and Virac in Itogon, and in Barangay Camp 4 in Tuba.

The original number of applications has increased since then and to date, there are 51 SSM associations from 4 municipalities that have applied and whose applications are still being reviewed by the Technical Working Group of the PMRB. These 51 applications are distributed to 11 clusters and with a total aggregate area of 5,920 hectares. The map below shows the sites of the applications for Minahang Bayan

Table 1: Distribution of Minahang Bayan Applications in Benguet as of December 31, 2017

Municipality	Number of SSM Petitioners	Number of Clusters	Aggregate Area (Ha.)
1. Bakun	6	2	607.00
2. Itogon	26	4	3,420.00

3. Mankayan	8	2	820.00
4. Tuba	11	3	1073.25
Total	51	11	5,920.25



Map 1: Location of Minahang Bayan Applications in Benguet (MGB-CAR)

A partial list of Minahang Bayan applications In Benguet shows that there were 10 applications in Tuba, 9 in Itogon, 5 in Bakun , 3 in Tublay, 2 in Mankayan, and 1 each for Bokod and Kabayan.

An endorsement letter dated December 16, 2016 to the DENR Secretary forwarded 11 applications for Minahang Bayan. An additional 12 have been forwarded as well.

These have been returned to the PMRB for validation.

Status of Minahang Bayan Applications									
Municipality	Operator/Contractor Association	Location of Mines/Barangay	Area (Hectares)	No. of Adits	Geographical Coordinates		Commodity	Mode of Processing	Status
					Latitude	Longitude			
Tuba	1.Kebasen Small Scale Mining Association Inc.	Camp 4, Tuba, Benguet	24.2842	13	16°19'24"	120°38'18.48"	Gold	Gravity	For compliance of the proponent on the requirements based on the initial review checklist for proposed MB pursuant to DENR AO 2015-03, by MGB CO on July 8, 2016.
	2.Sugalan Clan Small Scale Mining Association	Camp 4, Tuba, Benguet	16.2314	4	16° 19'16.24"	120° 38'18.48"	Gold	Gravity	For compliance of the proponent on the requirements based on the initial review checklist for proposed MB pursuant to DENR AO 2015-03, by MGB CO on July 8, 2016.

	3.Melchor Adolfo B. Milo	Twin Peaks, Tuba, Benguet	57.999	2	16°20'39.24"	120°35'37.66"	Gold	Gravity	For compliance of the proponent on the requirements based on the initial review checklist for proposed MB pursuant to DENR AO 2015-03, by MGB CO on July 8, 2016.
	4.Camp 6 Explorer's Small Scale Mining Association Inc.	Camp 6, 4, Tuba, Benguet	19.77	10	16° 21'26.87"	120°36'27.99"	Gold	Gravity	Endorsed to MGB CO on Sept. 9, 2016 for initial review pursuant to DMO 2015-03. With Temporary SSMC
	5.Aurelio Yaban, Jennifer Siloy, Mary Ann Dangayo, Miendrano Yaban	Camp 4, Tuba, Benguet	19.1925		16°19'22.11"	120°36'52.14"	Gold	Gravity	Endorsed to MGB CO on Sept. 9, 2016 for initial review pursuant to DMO 2015-03.
	Benguet Golden Hills (Caltino)	Camp 6, Tuba, Benguet	86.9073		16°21'30"	120°26'0"	Gold	Gravity	Endorsed to MGB CO on

									Sept. 9, 2016 for initial review pursuant to DMO 2015-03.
	6.Joel Abella Jr.	Camp 4, Tuba, Benguet	9.6997		16°19'17.77"	120°38'16.98"	Gold	Gravity	Endorsed to MGB CO on Sept. 9, 2016 for initial review pursuant to DMO 2015-03.
	7.Greenfields SSM (Milo)	Camp 1, Tuba, Benguet	35.2955		15°16'38.82"	120°33'58.09"	Gold	Gravity	Endorsed to MGB CO on Sept. 9, 2016 for initial review pursuant to DMO 2015-03.
	8.Benito Lucaben	Camp 4, Tuba, Benguet	6.1866		15°20'13.80"	120°38'17.06"	Gold	Gravity	Endorsed to MGB CO on Sept. 9, 2016 for initial review pursuant to DMO 2015-03.
	9.Tuba Indigenous (TIPO)	Camp 4, Tuba, Benguet	370.256		16°20'15"	120°35'30"	Gold	Gravity	Endorsed to NCIP on January 18,2017, in behalf of Mariano Kibasen,

									Angelita Sugalan, Melchor Adolfo Milo, Greenfields SSMA, Benguet Golden Hills, Demonstration of Small Scale Miners Ass'n, Aurelio Yaban, Benito and Bob Lucaben, Benguet Golden Hills SMA, Goldstream Pocket Niners Association, Jeronimo P. Siplat, and Camp 6 Explorers SSMAI. For posting and publication to LGUs.
	10.Jeronimo Siplat	Camp 4, Tuba, Benguet			16°18'59.02"	120°38'24.51"	Gold	Gravity	Endorsed earlier for MGB CO for initial review.

Itogon	1.Miligan SSMI (Denis Paquito)	Ampucao, Itogon, Benguet	2.5		16°14'35.93"	120°38'11.59"	Gold	Gravity	Endorsed earlier for MGB CO for initial review.
	2.Abidong-Saldine SSM	Loacan,Itogon, Benguet	11.767		16°14'5.23"	120°39'59.43"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	3.Benito Orfiano, et.al.	Gumatdang, Itogon, Benguet	1.7146		16°22'46.19"	120°38'18.94"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	4.Gold Creek AMTE Community Organization	Ucab, Itogon, Benguet	8.9437		16°22'55.47"	120°39'41.94"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	5.Timothy Joseph Espiritu	Virac, Itogon, Benguet	18		16°21'29.27"	120°39'4.98"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03

	6. Emerald SSM Multi Purpose Cooperative	Ampucao, Itogon, Benguet	10	161	16°20'18.89"	120°38'3.86"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	7. Gian Carlo Millan	Virac, Itogon, Benguet					Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	8. Leda Pag-ang	Nay-en, Itogon, Benguet	18.6742		16°14'1.3"	120°38'27.21"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	9. Sabkil Pocket Miners Association	Loacan, Itogon, Benguet	6.0468		16°24'15.22"	120°39'31.13"	Gold	Gravity	Endorsed to MGB Co on January 23, 2017 for initial review pursuant to DMO 2015-03
Bakun	1. Ruben Felix Cuyob Clan	Gambang, Bakun, Benguet	16.2567		16°45'32.59"	120°47'2.53"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review

									pursuant to DMO 2015-03
	2.Basig-Casmanova-Nasongyo- an, Bolbolo SSM	Gambang, Bakun, Benguet	113.76		16 °45'42.82"	120 °47'6.53"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	3.Perfecto Matso	Gambang, Bakun, Benguet	6.143		16 °45'39.72"		Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	4.Gambang Minahang Bayan	Gambang, Bakun, Benguet	287				Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	5.Osiana Longsiab	Gambang, Bakun, Benguet	10	1	16 °45'42.26"	120 °47'8.17"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
Tublay	1.Ben Polig	Ambassador, Tublay, Benguet	6.592		16 °29'28.78	120 °40'28.1"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016

									for initial review pursuant to DMO 2015-03
	2. Golden Summit Mining Corporation	Ambassador, Tublay, Benguet	10.4498	1	16°29'09.53"	120°40'17.30"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
	3. Wilson Capuyan	Caponga, Tublay, Benguet	15.201		16°28'19.37"	130°28'23.37"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
Mankayan	1. Augusto Tellaken	Suyoc-Palasaan, Mankayan, Benguet	16.1431		16°49'06.81"	120°48'14.66"	Gold, Copper	Gravity	For compliance by the proponent on the requirements based on the initial review checklist for the proposed Minahang Bayan, pursuant to DENR AO No. 2015-03 by

									MGB CO July 8, 2016
	2.Palidan Igorote Indigenous People Ancestral Domain SSMAI	Suyoc, Mankayan	0.9	19	16°49'29.162"	120°47'47.6"	Gold, Copper	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
Bokod	1.Gusaran-Akbot Minahang Bayan Association Inc.	Pito, Bokod	13.8318		16°25'212.29"	120°39'89"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03
Kapangan	1.Felicidad Leyaley	Belis, Kapangan, Benguet	2.5668		16°38'9.37"	120°48'6.8"	Gold	Gravity	Endorsed to MGB Co on Sept. 9 2016 for initial review pursuant to DMO 2015-03

B. Small-Scale Mining Operators

Small-scale metallic mining in the entire province was estimated to be at 72 operations. The Municipality of Itogon has the largest concentration of small-scale metallic mining operations, followed by Mankayan. A significant number of small-scale mining operators in Itogon are contractors of Benguet Corporation in its Acupan Gold Project (AGP). From 2011-2014, Benguet Corporation had 22 AGP Contractors. This arrangement is covered by Memorandum of Agreement per contractor and stipulates the terms and conditions of extraction and sale.

Outside of AGP contracts, there are 12 approved Temporary Small-Scale Mining Certificates (TSSMC) acquired under PD 1899, but extended under EO 79 (see Table 2). Under Presidential Decree No. 1899 issued by then President Ferdinand Marcos, a TSSMC allows an operator to extract gold and other associated minerals provided that, among others, it is carried out as a single unit mining operation having an annual production of not more than 50,000 metric tons of ore and that the mining process is artisanal without the use of sophisticated mining equipment. According to the MGB and the Provincial ENRO, the contracts had been extended.

Table 2: List of Small-Scale Mining Operations with Temporary Small-Scale Mining Contracts

Name of Permit Holder or Contract Holder (Company, Cooperative or Individual)	Municipality where operations are located	Date TSSMC is issued	Contract Duration/Period of Validity	Permit or Contract Number
1. Goldstar Pocket Miners Association	Bakun	8/14/2014	valid until area is declared as a Minahang Bayan	SSMC 006-2014
2. Billy Ayadi	Itogon	10/24/2014	10/24/14-4/23/15	SSMC 007-2014
3. William-Butch Small-Scale Mining Association	Itogon	4/29/2014	4/29/14-10/28/14	SSMC 004-2014
4. Jose Carlo Milan	Itogon	10/24/2014	10/24/14-4/23/2015	SSMC 009-2014
5. Juan Carlo Milan	Itogon	10/24/2014	10-24/14-4/23/14	SSMC 008-2014
6. Rino Pocket Mining Association (RPMA)	Itogon			
7. Yang Gold Tocmo - Mangga-Binatangan Pocket Miners Association Inc.	Itogon			

8. Bayudang (Bayodang)-Maging Clan Small Spocket Miners Scale Miners Association	Mankayan	4/29/2014	4/29/14-10/28/14	SSMC 002-2014
9. Jesson Cervantes Group SSM	Mankayan			
10. Lower Suyoc Taneg Pocket Miners Association	Mankayan			
11. Camp Six Explorer's Small-Scale Mining Association	Tuba	4/29/2014	4/29/14-10/28/14	SSMC 001-2014
12. Goldstream Pocket Miners Association	Tuba			

Source: Benguet Provincial Environment and Natural Resources Office, January 13, 2018

The Provincial ENRO also provided a list of 58 individuals and associations that are operating without a contract or permit. These are applicants for Minang Bayan contracts, and are assumed to be registered with the Cooperative Development Authority (CDA), Department of Labor and Employment (DOLE) or the Securities and Exchange Commission (SEC). Most of the LGUs had no additional data on operators, except for Bokod that provided information on one other registered association and Kabayan on 2 that are not registered (see summary in the table below).

Table 3: List of Registered and Unregistered Small-Scale Mining Operators without Small-Scale Mining Contracts or Permits

Name of Individual or Association	Municipal Location	Permit or Contract Number
1. Modesto Lang-ey	Bakun	No SSM permit
2. Batanes Pocket Mining Association	Bakun	No SSM permit, registered
3. Songyoan Pocket Miners Association	Bakun	No SSM permit, registered
4. Donesio B. Castro	Bokod	No SSM permit, registered
5. Bolo Small Scale Mining Association	Bokod	No SSM permit, registered
6. Association of the Bolo Indigenous People (ABIP)	Bokod	No permit, registered, not in PMRB list
7. Nay-en Taluan Small Scale Miners Association (NTSSMAI)	Itogon	No SSM permit, registered

8. Ud-udan Calhorr Bayating Camote Miners Association	Itogon	No SSM permit, registered
9. Purok Singko Private Miners & Gold Panners Association	Itogon	No SSM permit, registered
10. Palonopon (Pulonopon) Small Scale Mining Association	Itogon	No SSM permit, registered
11. Saddle Heartwell Goldhill Goldcoin Community Livelihood Association (SHGGLA)	Itogon	No SSM permit, registered
12. Saes Small Scale Mining Association (SSSMA)	Itogon	No SSM permit, registered
13. Sitio Samuyao Gold Panners Association	Itogon	No SSM permit, registered
14. William-Butch Small Scale Mining Association	Itogon	No SSM permit, registered
15. Dontog Manganese Pocket Miners Association, Inc.		No SSM permit, registered
16. Nagawa Small Scale Miners Association	Itogon	No SSM permit, registered
17. Pedped Surong Small Scale Miners and Neighborhood Association	Itogon	No SSM permit, registered
18. Dalisay Camote Miners Association (DCMA)	Itogon	No SSM permit, registered
19. Antamok Loacan Northwall Miners Association (ALNMA)	Itogon	No SSM permit, registered
20. Loacan Itogon Pocket Miners Association Inc. (LIPMA)	Itogon	No SSM permit, registered
21. Luneta Miners Association	Itogon	No SSM permit, registered
22. Baka Rino Tacong Small Scale Mining Association (BARITA)	Itogon	No SSM permit, registered
23. Gerson Tamang	Itogon	No SSM permit, registered
24. Badjengan Ampasit Pocket Miners Association (BAPMA)	Itogon	No SSM permit, registered

25. Goldfield Saranay Community Miners Association (GSCMA)	Itogon	No SSM permit, registered
26. Cattle Herders Association of Poblacion (CHAP)	Itogon	No SSM permit, registered
27. Tuding Integrated Rural Assistance for Development (TIRAD)	Itogon	No SSM permit, registered
28. Gold Creek Amte Community Association Inc. (GCACAI)	Itogon	No SSM permit, registered
29. Southern Ucab Small Scale Miners Association (SUSSMA)	Itogon	No SSM permit, registered
30. Midas Ducot Community Livelihood Association (MDCLA)	Itogon	No SSM permit, registered
31. Garrison Small Scale Miners Association	Itogon	No SSM permit, registered
32. Cacaok Small Scale Mining Association	Itogon	No SSM permit, registered
33. Ucab Itogon Miners Association	Itogon	No SSM permit, registered
34. Lower Gomok Workers Cooperative (LGWC)	Itogon	No SSM permit, registered
35. Acupan Contract Mining Project (ACMP)	Itogon	No SSM permit, registered
36. Acupan Upper Camp Community Livelihood Association	Itogon	No SSM permit, registered
37. Camp 5 Community Small Scale Mining and Livelihood Association	Itogon	No SSM permit, registered
38. Cadaklan Riverside Association	Itogon	No SSM permit, registered
39. Camp Suerte Livelihood Association (CSLA)	Itogon	No SSM permit, registered
40. Abucay Small Scale Miners Association	Kabayan	No SSM permit, registered
41. Abucay Cottop Small Scale Mining Association Inc.	Kabayan	No SSM permit, registered
42. Babek-Tikel Calimba Pocket Miners Gold Sampling Association Inc.	Kabayan	No SSM permit, registered

43. Tinudan Miners Association	Kabayan	No permit, unregistered, not in PMRB list
44. Cot-cot – Abucay Small Scale Mining	Kabayan	No permit, unregistered, not in PMRB list
45. Palidan Igorote Indigenous Peoples Small Scale Miners Association	Mankayan	No SSM permit, registered
46. Extreme Igorot Pocket Miners Association	Mankayan	No SSM permit, registered
47. Pacad-Sanguan Small Scale Mining Association Inc.	Mankayan	No SSM permit, registered
48. Nayak Small Scale Miners Association	Mankayan	No SSM permit, registered
49. Agosto Teliakan SSM	Mankayan	No SSM permit, registered
50. Paalaban Gold Panners Association	Mankayan	No SSM permit, registered
51. SVR Miners Association	Tuba	No SSM permit, registered
52. Kilong Gusaran Balococ Community and Livelihood Association	Tuba	No SSM permit, registered
53. Mariano Kilbasen Small Scale Mining Association (MKSSMA)	Tuba	No SSM permit, registered
54. Joseph Ayod	Tuba	No SSM permit
55. Tito Galla	Tuba	No SSM permit
56. Km. 21 Small Scale Mining Association (Km21 SSM)	Tublay	No SSM permit, registered
57. Boted Small Scale Miners Association	Tublay	No SSM permit, registered
58. Dennis Tan/Ben Polig	Tublay	No SSM permit
59. Sabado Lucio	Tublay	No SSM permit
60. Alfredo Mario	Tublay	No SSM permit
61. Emerald Mountain Explorers Association, Inc.	Baguio/Itogon/Tuba	No SSM permit, registered

In the municipalities of Atok, Buguias, Kapangan, Kibungan, La Trinidad and Sablan, the MGB-CAR claimed that there are no small-scale metallic mining activities. Key Informants in 4 LGUs confirmed this with the following statements:

- The Mayor of Buguias said that the LGU and the community do not want SSM in the area because this could damage water sources that are essential to agriculture, which is the main source of livelihood of almost all households in the municipality.
- The ENRO of Kapangan related that there was an attempt in Barangay Belis to do pocket mining, but this was effectively stopped with the passage of a barangay ordinance banning it in the community following a petition made by community members. (Although there is one application in Barangay Beling Belis for a Minahang Bayan endorsed to the MGB CO on Sept. 9 2016)
- The ENRO of Kibungan presented a local ordinance banning the practice of SSM in the municipality and prioritizing instead agriculture and eco-tourism as livelihoods;
- The ENRO of Sablan claimed that an attempt at pocket mining in one barangay was effectively stopped by the BLGU but some gold panning is still observed;

Meanwhile, in Atok, a staff of the Municipal Planning and Development Office said that there are currently at most 5 pocket mines that are being operated by outsiders in Barangays Caliking and Cattubo. The extent of operations and the affiliation of the groups or individuals operating them are yet to be checked. In La Trinidad, triggered by a request for an interview for this study, the Municipal ENRO did a quick survey and found out that there are 7 pocket mines being operated in Barangay Beckel. An inventory is currently on-going.

C. Number of Small-Scale Miners

The exact number of small scale miners is not known and estimates were provided over the years. The EITI Scoping Study states that in 2010, the Province initiated a profiling of small-scale miners and yielded 8,000 workers. This is a partial number because it only represented those who participated voluntarily in the survey. In 2014, the Provincial ENRO estimated that there were over 20,000 small-scale miners. Based on the profile of member-associations of the BFSSMI by the end of December 2014, the total number of individuals engaged in SSM was 31,845. There are no records on a current estimate.

D. Description of Major Stakeholders, Issues, Recommendations

1. Mines and Geosciences Bureau (MGB)

The primary government agency that takes charge of the conservation, management, development and proper use of the country's environment and natural resources is the DENR. One of its main functions is circulating and implementing rules and regulations that govern the

exploration, development, extraction, disposition and use of the forests, lands, minerals, wildlife and other natural resources (EO 192, 1987).

Within the DENR are several staff and line bureaus that are tasked to address particular concerns. There are two primary line bureaus that have direct involvement in mineral development projects, the Mines and Geosciences Bureau and the Environmental Management Bureau. The MGB is directly in charge with the administration and disposition of the country's mineral lands and mineral resources (DAO 96-40, Article 4 Section 3).

Issues and Suggestions

The Mines and Geosciences Bureau identified 7 major constraints that affects its activities with regard to the attainment of Minahang Bayan certification. Internally, it mentioned that the budget allotment for the implementation of PMRB programs was not enough. In effect, this affected the frequency of activities on profiling SSM associations and mapping of their areas.

The MGB regional office has suggested allocating more funds to support the programs, plans and activities of the PMRB. It also suggests the inclusion in the Regional Office' Organizational Structure a Section whose main function is to assist the small-scale miners and the PMRB.

The process of filing of applications, processing, evaluation and approval of a Minahang Bayan takes years as experienced by applicants in Benguet. These are affected by factors both from within and outside MGB.

Kills with MGB officials stated that time frames have not been set as to how long it takes to secure certain milestones once an application to declare a Minahang Bayan is made with the PMRB. The major points in the process from the filing of a petition to the Board are the conduct of a viable evaluation by the concerned Regional Office with considerations for a mineral processing zone; forwarding of the initial recommendations to the DENR Secretary through the MGB Director, posting and publishing of notices, the issuance of a clearance from the DENR Secretary, securing an environmental compliance certificate and finally the issuance of a decision.

To address this concern, the MGB proposes to provide a monitoring facility to track the status of Minahang Bayan petitions/applications. This will include a specific timeframe per step in the processing of applications. The requirement or task will be deemed completed if the said requirement has been complied with and even if not yet acted upon by the concerned office within the timeframe without any valid reason, or the Minahang Bayan application will be deemed approved if the timeframe is exceeded.

The MGB also pointed out the need to review certain restrictive provisions of DAO 2015-03, such as the use of certain chemicals and blasting which are not allowed, but which small-scale miners use and do.

Informants from MGB-CAR also pointed out that most small-scale miners do not have the expertise and training to handle the requirements for a Minahang Bayan application, a process that is highly technical. In terms of educating communities on SSM, the informants from MGB CAR also stated that current IEC topics and the campaign against illegal mining are still limited within the Bureau. They suggested the need to expand the IEC topics to include the necessary requirements in the application for the SSM contracts, with simplified forms and a simplified

process flow. They also suggested that the MGB-Central Office come up with simplified pro-forma forms on the mandatory and reporting requirements.

Key informants also mentioned that the said DAO has vague provisions, such as the absence of clarity on the terms of office for PMRB members and no specific guidelines on the accreditation process on PMRB membership, the treatment of SSM operations in existence before 1987 considering the provisions under Section 8 which provided that SSM areas of operation before 1987 can be declared as Minahang Bayan, and the need for further clarification of PD No. 1899 with regard to the regulation of SSM. No specific penalty per violation is provided in the law or a single penalty for a violation.

Within the regional and national MGB offices, a number of applications that were endorsed to the central office were returned for further evaluation by the Region. Internally, the MGB-CAR proposed that there be a levelling-off with their central office counterparts to agree on a simplified and common format acceptable to both levels.

Given the issues discussed above, the MGB-CAR has proposed a review of RA 7076, its IRR and related policies. Specifically, it seeks

- the inclusion of a provision on how to handle the theft of minerals, transportation and the disposition of confiscated minerals and illegal SSM implements.;
- the inclusion of a provision on the specific term of office for the members of the P/CMRB;
- to include a clear mandate for LGUs to regulate small-scale mining within their jurisdiction;
- the enhancement of Memorandum Circular No. 2016-03 to gain the support of other government agencies against illegal mining and logging
- the inclusion of copper minerals that could be mined thru small-scale mining;
- the inclusion of a provision allowing the regulated use of explosives and chemicals by small-scale miners as it is already being practiced.

The MGB also proposes the maintenance and updating of small scale mining operations databases in the areas. This will not only improve tracking and monitoring, but will also allow the regulating groups to easily reach the operators, miners and associations.

Externally, issues such as the conduct of the FPIC process and acquiring consent from the domain holders are sticking points in satisfying NCIP requirements. It has been proposed that the collaboration with NCIP be improved to come up with a simplified FPIC process.

Lastly, it proposes that LGUs include in their organizational structure a position for at least one Licensed Mining Engineer to assist the small-scale miners.

2. Environmental Management Bureau (EMB)

The Environmental Management Bureau (EMB) is the agency charged with the formulation and implementation of policies and guidelines concerning environmental management and pollution,

prevention and control. One of the EMB's mandate is the implementation of the Environmental Impact Assessment system.

Listed below are issuances from the EMB that affect small scale mining activities/operations in the province:

- SSM activities shall comply with RA No. 7076 or the People's Small-Scale Mining Act of 1991 and the Environmental Impact Statement System requirements under Presidential Decree No. 1586; Small scale mining operations shall be undertaken only within the declared People's Small-Scale Mining Areas or Minahang Bayan; and the use of mercury in small-scale mining shall be strictly prohibited
- The DENR-EMB also studies the adoption of the Programmatic Environmental Impact Assessment (PEIA) for mining projects and related activities. The Environmental Compliance Certificate (ECC) for the Minahang Bayan as one of the requirements prior to the issuance of a small-scale mining contract.
- The Environmental Compliance Certificate (ECC) is the document issued by the DENR secretary, the EMB director or the EMB regional director certifying that based on the representations of the proponent and the preparers, as reviewed and validated by the EMBRO/EIARC, the proposed project or undertaking will not cause a significant negative environmental impact; further that the proponent has complied with all the requirements of the EIS system; and that the proponent is committed to implement its approved environmental management plan in the environmental impact statement or mitigation measures in the initial environmental examination.

Issue and Suggestions

One of the main issues raised by a respondent from EMB-CAR is the widespread non-compliance of SSM operators and workers to existing environmental laws and regulations. This is attributed to the difficulty in convening a multi-agency task force to monitor and enforce laws and regulations.

This informant suggested that the setting up and updating of small scale mining operations databases in the areas will aid in the monitoring and enforcement of existing laws. It was further proposed that LGUs strengthen their Municipal Environment and Natural Resources Office/Councils not only to help monitor along with the TWG of the PMRB, but also to assist the small-scale miners in complying with regulations as well.

3. National Commission on Indigenous Peoples (NCIP)

This agency is tasked to formulate and implement policies, plans and programs for the recognition, promotion and protection of the rights and wellbeing of indigenous peoples and the recognition of their ancestral domains and their rights (RA No. 8371). The agency is further mandated to protect and promote the interest and wellbeing of the indigenous cultural communities/Indigenous peoples with respect to their beliefs, customs traditions and institutions.

Issues and Suggestions

The Regional Director of the NCIP-CAR reacted to the notion that the NCIP's FPIC process and requiring documents and processes from the small-scale miners are difficult for SSM operators to comply with. He pointed out that there are no separate rules at the moment that will apply to SSM, but a proposal to discuss the modification of rules and procedures of the FPIC process has been raised at the NCIP central office. He said that while the main task of the NCIP is to convene communities and present all sides of the discussion about SSM and get informed consent, he pointed out that in the first place, it is important for applicants to submit a comprehensive EIA and technical study on the area, since these are important inputs during consultations and in securing the consent from ancestral domain holders. It is in the interest of the community to know clearly what the effects of mining are on their lands. He further pointed out that applicants are just applying to "legalize" their SSM activities, which they had been doing for years.

The Director also presented some scenarios and potential impacts:

1. An individual applicant can apply to mine up to 19 hectares. This means then that if there are 100 applicants and each is given this area, it will mean a huge increase in the conversion of areas to mineral lands.
2. Under a Minahang Bayan, each operator, once granted a contract, has a quota of 50 metric tons yearly. This could lead to a condition where an operator will tend to mechanize and cause lasting damage to natural resources. And truth be told, many of the operators are already mechanized in their operations and hardly fall under the category of artisanal.
3. There is no exclusivity in the Minahang Bayan scheme. Domain holders will have priority use for the first 5 years, but the area will be opened to outsiders after this period. If this is allowed to happen, it will impact negatively on an ancestral domain and resources therein.
4. A Minahang Bayan will convert a portion of the Ancestral Domain into mineral land. He raises the question on how to make the applicants responsible for all the negative impacts coming from an extractive industry such as mining. He mentioned that it is difficult to get informed consent for projects using renewable resources, such as run-of-river hydro-electric projects. How much more for mining.

In addition to these scenarios, the RD is of the opinion that very little information and education is being done on the SSM law. People generally do not know what a Minahang Bayan is, how it is operated, or what its effects and impacts are on the community and their lands. In the interview, he said it is not yet very clear to him who could and should be held liable/responsible for negative impacts. He suggested hiring an independent expert to talk about the Minahang Bayan; one to provide a more objective presentation of its merits and demerits, thereby educate all stakeholders concerned.

In the conduct of the FPIC, he expects questions to be raised on benefits and compensation from communities that will be affected by mining within the AD. He wants to know, as well, who will compensate them for possible damaged lands and loss of livelihoods in the long-term.

In the past, he had made suggestions regarding exemptions for small-scale miners that use traditional small-scale mining methods. He suggests that these be documented, and the NCIP can validate. Once established that these are “traditional methods”, rules and guidelines can then be crafted and incorporated in the DAO and specific for IPs and CAR. There may then be no need to declare a Minahang Bayan. Liabilities and penalties can be crafted by the communities in the proposed areas to enforce and regulate SSM activities. He then cited some rules in Fidelisan in Sagada where, for example, the community defined what constitute an offense and set penalties on violations. The use of chemicals is not allowed, for example, and steep fines are imposed by the community for violations on this agreement. Also, in the event of an erosion in a paddy field caused by mining, the violator will be fined up to a million pesos and will be required to repair the damaged land. He then said that if traditional SSM activities are documented and are used as operating guidelines, it could be easier for the LGUs and a multi-stakeholder team to manage and regulate such activities.

Finally, he said that the NCIP should not be construed as delaying or posing as a hindrance to SSM applicants in the process of obtaining consent. He reiterated that the NCIP is mandated to safeguard the welfare of indigenous peoples, thus are objectively seeking clarification on persistent issues, identifying responsibilities and defining liabilities and penalties for activities conducted in the AD.

4. Local Government Units (PLGU of Benguet and Municipalities)

The Philippine state is subdivided into territorial/ political units namely provinces, cities, municipalities and barangays. As of June 30, 2007, the Philippines had 81 provinces, 131 cities, 1497 municipalities and 41, 994 barangays (NSCB). The province being the largest unit in the political structure of the country, consists of varying numbers of municipalities and in some cases component cities. The provincial legislatures and governments are the major structures in the provinces that legislate and administer laws. The province’s functions and duties in relation to its component cities and municipalities are generally coordinative and supervisory. The local level heads are the governor (province), the mayor (municipality/city) and punong barangay (barangay). The enactment in 1991 of RA 7160 known as the Local Government Code (LGC), provides the principle of giving the subnational units genuine and meaningful local autonomy to enable LGUs to attain their fullest development as self-reliant communities (RA No. 7160).

Under the LGC, certain functions of the DENR have been fully devolved to the LGUs. However, the functions, powers and responsibilities pertinent to environment and natural resources have been described to be limited and ambiguous. The permitting procedure for SSM activities are mainly the responsibility of the MGB and the Provincial Mining Regulatory Board of Benguet.

After EO 79 and its IRR were issued in 2012, the PMRB issued Temporary Small-Scale Mining Contracts to the existing registered small-scale mining associations and individuals (PMRB Resolution No. 30, S. 2014.) The PMRB issued the temporary contracts based on Sec. 14.a of the IRR of EO 79 (DAO 2012-07) that allows holders of small-scale mining permits with a remaining term of less than 1 year to be given a temporary contract by the Provincial Governor

upon the recommendation of the PMRB to continue small-scale mining operations within a period of 6 months or until their area is declared as Minahang Bayan, whichever comes first. Of the 12 existing operations covered by a permit, the 4 others were not able to comply with documentary and reportorial requirements. These temporary contracts are for a period of 6 months, with the last permit expiring on 23 April 2015.

Issues and Suggestions

1. Permitting Process

A common observation among the municipalities was that the permitting process for SSM contracts or a Minahang Bayan is tedious and long. In addition, the requirements are difficult to fulfill as these are not only too technical but also expensive, such as the FPIC process and acquiring an ECC. They also mentioned that there are contradictions between laws, such as the IPRA and the SSM law, and provisions of EO 79 that make it difficult for operators to comply with, such as fees and the penalties it suggests. Permission is also difficult to obtain from mining companies which have rights and titles but are based in Manila.

The MLGUs also mentioned that the PLGU and the MGB are central to SSM legalization or Minahang Bayan certification. All applications for permits are forwarded to the Provincial ENRO or the PMRB. Some MENROs mentioned that they are not involved in the permitting process, but would be called on to address problems or violations that are reported and in monitoring and enforcing laws in the municipality. They therefore suggested that the MLGUs and BLGUs be involved more in the application process, and lead in the establishment of databases of SSM operations in their municipalities. Respondents also requested that requirements be adjusted to be appropriate for small scale miners, and this has to be supported with sufficient orientation and IEC on procedures for permits, licensing and application for Minahang Bayan. Some respondents also admitted that they need orientation on the requirements and procedures to permitting, licensing and application to Minahang Bayan.

Individual interviews with key personalities in the municipalities of Mankayan, Tuba, Tublay, Bakun, Bokod, Itogon and Kabayan revealed that there were no databases or listings of small-scale miners, but that the LGUs are aware of mining activities in their communities and could identify the sites where SSM is taking place. The lack of information regarding the SSMs is attributed to the fact that the SSMs are regarded as belonging to the “informal” sector, thus not registered at the MLGU or the barangay.

- Opportunities

According to the respondents, recognizing the SSM as a formal sector would ensure the security of livelihood for the small-scale miners. They will have the freedom to work without having to play “hide and seek” with the local authorities. Workers will be regulated, migrant workers will be screened and monitored, which in part will help in maintaining the peace and order in the communities. When this was mentioned to the Itogon operators, they claimed that the associations police their ranks.

Additionally, SSM operators will be included in capacity building and trainings provided by the LGUs and other agencies, especially with respect to emergency response and environmental

protection. The number of tunnels will also be regulated and the mining area identified and established.

In terms of revenue, M/BLGUs will benefit from transactions in the issuance of permits, licenses and taxes on the sale of minerals. These proceeds could support community needs such as water systems, roads, bridges, footpaths and school buildings.

Most of the areas in Mankayan, Tuba and Itogon are covered by big company mining claims. Getting permission to mine these areas is difficult. In the case of Mankayan, SSM applicants had to look for and get permission from Manila-based claim holders.

For Kabayan and Bokod informants, the declaration of Mount Pulag and the Agno River as a National Eco-Tourism park and as a Water Reservation is seen as detrimental to the approval of the Minahang Bayan.

It was also commonly stated by the respondents that the requirements for the application of Minahang Bayan is difficult for small scale associations to comply with. They further added that requirements are the same with large-scale mining companies, hence the difficulty for small scale associations to comply with the same standards as those corporate mines.

In Bakun, a Kagawad and IP Representative said that the main concern of the SSM operators is the presence of Royalco, a large-scale mining company, which could affect their application for Minahang Bayan. This was compounded by the fact that the SSM operators' application for Minahang Bayan, which tried to beat the renewal of the exploration permit of Royalco, is mysteriously gone. It could have gotten lost in transmittal, misplaced or withheld for some reason at the central office. The applicants are concerned that they may have to reconstruct their application.

The application for a Minahang Bayan in Bakun is intended to protect their ancestral domain from exploitation by Royalco or other large-scale mining operations. The IPMR mentioned that once the domain holders have the certificate, "no outsiders" would be able to apply to explore or mine. It is implied that the mines would be managed more sustainably and equitably if "insiders" manage them.

- Revenue streams/payments for SSM operations

Revenues have been minimal based on records from the province and municipalities. Process-wise, the Provincial ENRO issues the order of payments and the permit-holders or contractors pay to the Office of the Treasurer. All payments received form part of the General Fund of the province and are spent on various priority socio-economic programs. These revenues are basically for issuing business permits or real property taxes.

Based on 2017 records from the Benguet Provincial Treasurer's Office, the income collected in the form of payments for application of SSM permits amounted to P 46,920.00. The municipalities collected fees from the SSMs in the form of property and building taxes and business permits, determined based on their respective local revenue codes. No collection was ever made based on the products from SSM, and not one municipality was able to show data regarding gold production.

In 2017, Itogon was able to collect P 121,110.81 from business permits from small scale mining and for 2018 the figure was fractionally lower at P 111,224.72. Also, as of January 2018, Tuba collected P38,000 for only one business permit filed by a SSM association (Camp 6 Small Scale Mining Association Inc (CSSMMAI). In 2017, Mankayan collected taxes from property and buildings involved in SSM worth P43,200.00; no updated data for January 2018 as of this writing.

The lack of information regarding payments made by SSM operators to the LGUs can be attributed to the fact that the SSMs are regarded as belonging to the “informal” sector and are thereby not registered at the Municipal or the Barangay level. As such, no revenues are collected from this small-scale gold mining. In Bakun, the revenue code for 2018 shows that it will charge P5,000.00 for a permit for SSM.

No data is available on permits taken by other businesses (stores, hardwares) that have thrived because of SSM activities.

Prior to EO 79 and the Revised IRR, the MGB Regional Office did not impose nor collect any fees. Under the Revised IRR, the MGB Regional Office is now mandated to collect application fees of P1,000 for a small-scale mining license by an individual miner and P20,000 for a small-scale mining contract.

- SSM Operations Under LGUs

Key informants pointed out that since the mining areas are not really owned, the small-scale miners tend to extract as much as they could in the shortest possible time (*“samsambuten dagidyay minero iti alaen da”*) with total disregard of the effects of their activities to the environment. The big question raised by LGUs is how to legalize SSM operations and how to make ownership more permanent so that SSM operators would invest more permanently in their areas. One KI said that financing operations would be better in the sense that rates could be lower.

Informants also mentioned that there are too many processing plants in the community, and this makes monitoring and regulation difficult, and especially since there is no database on miners, operators, location of mines, level of operation, number of workers, and other important details that could inform LGUs. For Mankayan, and Itogon, the plants and mills are required to be registered at the Municipal Assessor’s Office.

In Mankayan, there is a plan to hold a consultation in February with the operators and miners in the municipality to discuss issues and developments. At the provincial level, the PMRB/TWG is currently updating its database of SSMs and operations in the Province. This is being done in coordination with the Federation and the MLGUs. This is also being done in connection with applications for Minahang Bayan.

Mankayan’s MPDC pointed out that the tunnels in the municipality are not contiguous. It was suggested that the approval for permits in the municipality be done per tunnel. Another suggestion is to revise the guidelines for Minahang Bayan in Benguet, as it should contain guidelines that would fit the context of upland small-scale mining.

Some LGU officials of Mankayan, Tuba, Itogon, and the province are aware of the efforts of EITI to make small-scale mining more transparent, because they have attended semi-annual meetings. They mentioned that pursuing transparency is good as it makes the “umili” know what

funds and resources are reverting to the community as a result of SSM and how these are used by the LGUs. As shared by an official, meetings and assemblies are venues that provided opportunities for LGU officials to set the record straight in SSM reporting. At these meetings, issues on how CSR funds are used were also discussed. There had been proposals to utilize these for funding gaps in the Barangay Development Plans, but these were used instead for activities prioritized by the company without consultation with the LGUs.

In Kabayan and Bokod, there were efforts to stop SSM, and a “cease and desist” order on SSM was issued during the time of then Governor Nestor Fongwan. However, mining activities resumed and continue unregulated to date. In Itogon, SSM associations are encouraged to put up their own nurseries and participate in tree planting activities in their respective communities. They are also tasked to annually check on the seedlings that were planted during tree planting activities and create fire lines to ensure that forest fires are prevented. Also, the SSM associations adopted the “estero” program where members are enjoined to clean their creeks quarterly.

- Minahang Bayan Applications

Applications for Minahang Bayan by SSM associations have so far been unsuccessful. In Bakun, the first application for a Minahang Bayan was not approved because the applied area was already issued an exploration permit in favour of the RoyalCo. For the second application, papers got lost in transit and the applicant is still awaiting update. The community is looking at the option of having the BLGU of Gambang apply for the Minahang Bayan in behalf of the SSM Associations for a total area of 257 hectares.

Given the status of Minahang Bayan applications, the LCE of Mankayan suggested that exemptions be sought and applied on SSM operations that are still done traditionally, i.e. without the use of chemicals and heavy equipment and applying the traditional practice on supporting community members like *saga-ok* (share ore to women and children for free) and *linang* (allow women to re-process ore). He mentioned that these methods were environmentally friendly, sustainable and could easily be monitored with small work forces. They can be documented and turned into guidelines as a way to regulate SSM. He also added that there may be a need to review permits of big mining companies and cancel those that are non- operational.

- Health and Safety

Health and safety measures are not monitored in small-scale mines risks are not mitigated or immediately addressed because of the still illegal and informal nature of SSM operators and miners. There is no complete documentation on accidents and deaths in the municipalities due to SSM. It is suspected that many accidents occur, but miners and operators do not report them for fear of mine closure. Most accidents are only made known to the LGUs when help with search and rescue are needed. Otherwise, miners deal with these on their own. In Mankayan, one small scale miner recently died because of asphyxiation, and this was reported as a birth certificate needed to be issued. In Kabayan, skin disease such as Psoriasis is observed to be more commonly detected in miners compared to non-miners. However, there have been no studies to directly link this disease as a result of mining. In 2015 or 2016, three miners were seriously injured because of a cave-in accident. This, however was not officially reported to the Municipal Health Office. In Itogon in 2017, four miners died of asphyxia secondary to inhalation of undetermined toxic gas, one due to traumatic injury to the head secondary to a fall and one due to asphyxia by

suffocation secondary to cave-in. In Tuba, one small scale miner died of asphyxia. The RHU also thinks that most cases go unreported because when accidents occur, the victims are brought to hospitals in La Trinidad or Baguio City.

- Selling

Supporting the underground economy of SSM is a so-called black market of gold in key locations in Benguet, specifically in Baguio City (200+ estimates), Itogon (34, Itogon Treasurer's Office 2018) and Abatan in Buguias, as well as local buyers in the area. These gold traders are the preferred buyers because transactions are less complicated, there are no minimum weight requirements, no paper transactions, anonymity of the seller is preserved, there is no cut-off time for selling, and most importantly, sellers are paid in cash. As a result, there are no sources of data on the actual volume of gold sold.

5. Banko Sentral ng Pilipinas (BSP)

The Bangko Sentral ng Pilipinas or the Central Bank of the Republic of the Philippines was established on 3 July 1993 pursuant to the provisions of the 1987 Philippine Constitution and the New Central Bank Act of 1993. The BSP enjoys fiscal and administrative autonomy from the National Government in the pursuit of its mandated responsibility.

Small-scale miners are required to sell their gold to the Bangko Sentral ng Pilipinas, which has a buying station in Baguio City. "The BSP has the sole authority to purchase gold from small-scale miners and from other sources but it does not grant/issue accreditation to small-scale miners." The key informants from the BSP also made the observation that few SSMs sell to the BSP buying station in Baguio. SSM operators used to consider the BSP then, but since the imposition in 2011 of a withholding tax of 5% on the proceeds of gold, in addition to the 2% excise tax, sellers going to BSP declined. They are aware that most small-scale miners have resorted to selling their gold in the black market, where rates are also comparable to the international market prices and payments are immediately made in cash and without tax deductions.

Of the registered SSM associations in Benguet none has sold to the BSP.

The BSP and the Bureau of Internal Revenue (BIR) have held dialogues with SSM operators and gold traders nationwide and this resulted to a reduction of the 5% withholding tax to 1% in addition to the 2% excise tax. With this, the volume of gold purchased could still not be categorically said to have increased, but that the BSP buying station continues to purchase from operators. With the new Tax Reform for Acceleration and Inclusion (TRAIN) that has come in effect in January, the total tax withheld from sales will become 5% because excise tax will increase to 4%.

They also see the P 1,600 refining fee as a deterrent for small scale miners from selling to them. This amount is collected uniformly no matter the volume of the gold, so it is beneficial to sell a bigger quantity. Also, if the refinement will yield silver, this is also bought by the BSP separately. In addition to these constraints, sellers also have to be mindful of the cut off time at 2 PM, and the need to sell a minimum quantity.

The gold that is not sold to the BSP is "lost" as it does not become part of the gold reserves of the Philippines. Also, the taxes withheld that are supposed to go back to the municipalities are not

realized, because the black-market gold traders do not withhold taxes. If they do, it is never known whether these are remitted.

The informants said there is some benefit to selling to the BSP. For one, BSP buys at the legal rate, with prices adjusted everyday depending on world market prices. Also, the BSP scales are properly calibrated to get more accurate weights with hardly any variances, thus allow the SSM operators to earn more. The BSP is also putting up a buying office in Loacan, at the Export Processing Zone A in Baguio, to be closer to the bigger SSM communities of Itogon. It was further mentioned that the BSP is also studying the feasibility of setting up other buying stations in the north closer to Mankayan and Bakun.

6. Benguet Federation of Small Scale Miners, Inc. (BFSSMI)

This is a federation of SSM associations based in Itogon but caters to all interested SSM associations and provides the voice for all small-scale miners in Benguet in their mission to apply for small scale mining permits, Minahang Bayan certification and be properly recognized as an industry. It represents small scale miners in consultations with concerned agencies on the small scale mining industry in a continuing effort to improve the current conditions of SSM in Benguet, helps with getting SSM associations their permits under EO 79, and provides other assistance that may be beneficial to the miners and operators, such as the conduct of information and education campaigns on the provisions of different EOs and RAs affecting the SSM industry, information on the permitting process, as well as information on new and safe technologies in small scale mining. It also facilitates partnerships and linkages of SSM associations with appropriate government agencies. Assistance is also provided in search and rescue operations in the event of accidents in the mines.

Issues and Suggestions

The focus group discussions provided the opportunity to hear the opinions of miners and association members. In general, federation and association officers and members alike share the sentiment that more support on the sector is needed. First on their list of issues is the stringent nature of requirements from the different agencies involved in permitting and the long duration of certification. In all the FGDs, it was mentioned that there are requirements in applying for a Minahang Bayan that are too technical, too long-drawn, or too expensive for small operators and associations. This includes the submission of a survey plan on the applied area complete with a technical description and to be prepared by a licensed Geodetic Engineer, and to also include a sketch plan for panning and sluicing; the conduct of an Environmental Impact Assessment; and the process of getting consent from land owners through the NCIP's FPIC process. They claimed that it is costly to comply with these requirements, not to mention the required surety bond of P20,000 to guarantee payments of any damages. They also lament the imposition of requirements on getting area and status clearances from the MGB, as well as written consents from the claim owners, landowners and operators. In addition to difficulties with acquiring permits and licenses, they perceive that payment of taxes would be an added burden to them.

FGD participants had said these processes and conditions have existed for years and the BFSSMI had repeatedly requested that these be simplified and for fees to be reduced. The

Federation also pointed out certain restrictive provisions of DAO 2015-03. Such as the use of certain chemicals and blasting that are not allowed, but which SSM operators use and do.

A court case was filed by the BFSSMI questioning some provisions of DAO 2015-03, e.g. penal provision for excessive application fees for a permit, stringent requirements, and the limit of 6 years that is placed on SSM operations, considered by the miners as all designed to deprive them of benefiting from their livelihood.

- Peace and Order

Most of the SSM associations in Itogon, Tublay and Mankayan require miners from the area to get barangay working clearances. Small-scale miners that are not from the area, meanwhile, are required to get an NBI clearance, barangay clearance from their areas of origin, as well as a barangay clearance in their current area of work. Respondents had stated that the associations were formed to enhance cooperation among SSM operators and groups that mine a certain area, serve as their venue for conflict resolution and for policing their own ranks, especially the migrant workers.

- Health Risks

Key informants and FGD participants said that cave-ins and asphyxiation during the rainy season happen. The different associations help each other in the search and rescue operations when these happen. They admitted that a number of deaths due to asphyxiation go unreported. This happens most with migrant miners.

The effects of chemical use during processing are also felt by miners in the long term. It was noted that association members assigned in processing have been undergoing medication to address the ill effects of their exposure. The KIs suggested that the government agencies involved should capacitate SSMs on safely handling chemicals. These agencies should also be able to introduce new and safer technologies for processing, proper disposal of chemicals.

- Selling

According to miners interviewed, the Bangko Sentral ng Pilipinas requires a certain minimum volume to be sold, have early afternoon cut-off time at the buying station, require paperwork and the payment is in checks that require the miners to take another step of cashing the check. It was also pointed out that there are taxes withheld and a processing fee of P1,600. In general, for the associations with relatively smaller operations, transacting with the BSP is largely unfavorable.

A member of the Federation's Board and the head of one big association, Mr. Leoncio Na-oy, said that there are an estimated 120 gold traders in Baguio city alone, with 5 of them considered as big-time buyers that can handle transactions of up to 2 kilograms a day. Also, there are now gold traders located in Itogon itself, so it has become very convenient for miners to sell their gold anytime. This accessibility is further made more acceptable because of the absence of any paper requirements and no additional charges, such as taxes. The cash transaction also makes it convenient for the operators to buy their supplies before going back to their communities. Also, these local traders provide credit at no interest to the operators when capital runs low, for as long as they are the buyers of the gold produced.

Payments

To the LGU

Conditions vary in the different LGUs. In Mankayan, the LGU has collected taxes based on registered ball mills and sluice boxes based on their assessed value. In Itogon, fees from permits to operate as well as assessed values of ball mills and plants are also collected. In Tuba, a business permit has been collected (CSSMAI, Goldstream SSM).

Private Owners

Arrangements vary, for an SSMA with an agreement with a corporation, the sharing is 40% for the corporation and 60 % for the operator. The Corporation checks the production and both parties get their shares. The KI mentioned that that they were not required to sell to any outfit in particular.

Key Informants said that payments to surface owners, tunnel owners varied based on negotiations done by the operators and owners. These varied from one to four shares.

One SSMA in Itogon, was just required to pay the realty taxes of where it was mining as these was owned by its adviser. He did not demand any shares from the earnings of the operation.

In Mankayan, prior rights had been given to companies/ outsiders in most of the areas where the SSMs operate, although they and their ancestors had been mining these since so long ago. It has always been difficult to pay royalties, rent or even get permission to mine their “own lands” as all of these companies are Manila based. Attempts to trace these have proved futile.

Monitoring

The SSM respondents mentioned that they were only visited when they applied for permits. There is no regular monitoring from government. Some mentioned that they were visited lately because of the revalidation process due to the Minahang Bayan applications.

The Key Informants from EMB- CAR stated that they monitored when complaints were received by their office.

The MENROs from the municipalities specified that more often than not, they were not involved in monitoring SSM activities when the concerned agencies did these (MGB, EMB and Province). These agencies usually went straight to the sites and they (LGUs) only learn of these after the monitoring activities have been conducted.

- List of SSM Associations

Organized in April 2006, the BFSSMI started with 69 member-associations, with a total recorded 2,029 adits and 31,229 workers. This number excludes the women and children who are also usually involved in small-scale mining, the same being considered as a family enterprise. As of January 2018, there are 81 registered member-associations and a lower number of miners. The actual number of existing associations could not be definitively set, because there are groups not registered with the BFSSMI, registered but did not renew, renamed and did not update, or defunct when they abandoned their mines. The table below summarizes the number of association-members of the BFSSMI per municipality.

Table 4: Distribution of BFSSMI Member-Associations by Municipality as of January 2018

Municipality	No of SSM Associations
Itogon	53
Mankayan	11
Tublay	5
Bakun	4
Tuba	3
Kabayan	3
Bokod	2
Total	81

A consolidated list of known associations and individual operators is in Annex 3. This was put together from the list provided by the Provincial ENRO, the BFSSMI (which does not have a complete list of the 81 members) and from interviews. The Federation is currently updating its database of associations to collate information on number of members, distribution of local and migrant workers, number of tunnels being operated, and other pertinent information. To improve the quality and completeness of the database, the BFSSMI Secretary General suggested that the LGUs should require their Barangay Captains to request all SSMs/associations located and operating in their respective barangays to fill out a basic information sheet on their operation

E. Indigenous Practices (sourced from Caballero, 1996)

This section presents traditional practices that are still in use today and which address the sharing of resources with other members of the community, as well as relevant knowledge systems/technologies that are sustainable and not harmful to the environment. These practices are tied down to the belief systems of the IPs in the use and management of their resources as found in their ancestral domains.

The province of Benguet has three ethnic groups. In the south are the Ibaloi with a language called Nabaloi, or Inibaloi. Northward along the western side of the Cordillera are the Kankanae, who are also referred as the southern Kankanae. North of them are the Northern Kankanae.

Quoted in Caballero (1996) is this statement: “There will always be gold. We will never run out of gold, but you have to mine it the right way”. Mining the right way does not just involve their technological/productive subsystem. It also involves their social and ritual subsystems. Mining the right way means management of the resources by the elders (*panglakayan*) present among the living and in the spirit world. They believe their deities and the anitos give them gold and other natural resources to the community. The *panglakayan* continue to play a predominant role even while in the spirit world as anitos. They are always called upon for the proper guidance and management of the community and are invoked and appeased so that good fortune will always abound in all their endeavors. As the elders before shared their gold and natural resources with the living and made the lives of those prosperous and healthy, so too must the living share it with the community. This view still prevails among the Key Informants from Manakayan in the north to Itogon in the south.

- Ownership

Caballero states that “A mining claim among traditional miners has corporate kin features in that a group of elders own and manage a claim. Traditional small-scale miners believe that ultimately their god (Kabunian) and anitos (spirits, ancestors) own the resources and a council of elders (panglakayan) manage these resources for the community. Consultation and the resolution of conflicts regarding mining is through the elders. They determine the party at fault and impose on them the necessary penalties (e.g. the party at fault is punished by not being allowed to continue mining in his/her tunnel).

The descendants of this corporate group are entitled to the use of primary resources (e.g. land for swiddening, subsurface claims for mining) and can own the gold which they mine and the crops which they grow. Other individuals may acquire temporary user rights (rights of usufruct) by affiliating themselves with the corporate kin group for example, have user rights to the tunnels and only own the gold extracted. A miner’s use rights cease once he/she abandons a tunnel. Other miners maybe given permission to mine on lands where rights to surface of subsurface areas are owned by another ethnic group.”

- Sagaok

One of the most common ways of sharing is through sagaok, which is the process of going from one tunnel to another requesting for ore with gold. It is a community activity of the miners . It is not uncommon to see a line of men and women of varying ages waiting outside a tunnel with their sacks waiting for their turn to request gold-ore (makisagaok). It is important that the miners share a portion of the ore which they are mining. Caballero says that in the begnas ritual, the panglakayn cite themselves as examples of sharing with the community the gold that mined.

Ore is always given first to the elder women and men, although miners refer to elder women and children more than they do to men. When they talk about sagaok.

Our key Informants mentioned that this is a safety net for members of the community who are in financial difficulties. It has helped hard up small scale miners to continue their operations (by being given a share (sack/s or a period of time in the tunnel, depending on agreements with the tunnel operator), as well as supported students in school.

- Makilintang

Another way of sharing is through makilintang, a process of distributing gold through the sharing of the concentrate. It is an internal community activity of small scale miners.

Adults of varying ages of either sex can request concentrate (linang) although this is mostly for the (elderly) women. Because of their age they are given concentrate and need not be present during the extraction process. The processor always sets aside some concentrate to be shared with the older women in the community.

The shared concentrate is not only a product of the processing of ore, but also from the recycling and the processing that takes place as a result of the gold recovery process. This cultural practice of sharing the concentrate reinforces the concepts of recycling and the processing of other materials in the recovery process. It encourages and continues the practice of the physical separation methods in gold extraction. This makes the Kankanaeys gold processing unique and is one of the major factors which contributes to the continued success of the technology through time.

Having the processing areas by their homes also facilitates the work of both men and women when it comes to household chores like cooking, care of the children and their elders, etc. In addition, family centered processing areas are also venues where affairs and decisions of the community are discussed. The processing areas contribute in part to the cohesiveness of the community as well as playing an important part in economic and social functions.

- Residence

It is predominantly patrilocal, but matrilineal and neolocal residence are also practiced. There is a tendency for marriage to take place with cousins, and therefore, between people who both reside in the same community. When a man marries a non-kinswoman, she moves to his residence. Thus, a woman who marries someone from another locality is more likely to move to her husband's area. For lode mining communities, because the mining claims are corporately owned by a group of elders, what becomes important is to establish a consanguineous or affinal tie to a founding father /mother or an important living descendant in order to establish residence in the community. One chooses to affiliate through an elder who is closer in kin terms, but also is the one who has more influence in the community. Families from descent groups engage in a high degree of mutual aid and cooperation.

- Rituals

Many of the Kankanaeys rituals involve the killing of pigs and an offering of rice wine to their deities and spirits. Depending on the type of ritual, other offerings consist of traditional blankets, old coins, mining tools, or the clothes of the deceased relative. A majority of the rituals are performed to ward off sickness or to avert bad luck in mining, such as not finding ore containing gold. All the rituals secure the goodwill of the deities and spirits. Their performance results in the long and prosperous life of the community members and assures them of a continuous supply of gold in their lode and placer deposits, luck in their gambling and other livelihood endeavors, wealth and a long and healthy life.

Key Informants in the municipalities of Tuba, Itogon, Mankayan and Tublay said that they had rituals to thank their gods and ancestors when earnings were good. They also had rituals seeking favors from them in times of hardship during operations.

- Omens and Taboos related to Mining

Caballero mentioned, "It is considered to be a bad omen if a snake crosses one's path on the way to mining. It is also a bad omen if the ritual pig that is butchered has a gall bladder that is not full or the liver is the wrong shape. In this case, to avert bad luck, another pig has to be butchered.

Taboos which relate to mining and rituals are numerous. When taboos are broken, the kankanaey believe that the deities and spirits who own the gold will hide it, thus making it difficult for the community to mine. In addition, misfortune can befall the community in all their other endeavors. The elders urge those who see miners breaking taboo like butchering a dog or duck before they mine to tell them right away, so they may counsel the offender and perform a ritual to appease those in the spirit world.

Taboos related to mining are the prohibition from eating certain kinds of food (e.g. cow, dog, goat, ducks or eel. That have an “offensive smell and smells raw”. Only pigs, chicken and carabao (which take a mud bath) can be eaten.

If the wrong meat is eaten the miners must abstain from mining for 4 days and then bathe before entering the tunnels. It is believed that those who do not follow this period of abstinence will have bad luck befall them.

Other taboos are women menstruating, should not mine, a newly married couple must abstain from mining until their ritual pig has been killed. After a period of abstinence, the newlyweds go to their tunnel, get a sack of ore which symbolizes a gift presented to them by the gods and then resume their normal activities of mining.

The claim owners of the mine must see to it that a ritual is performed if taboos are broken. Misfortune will not only befall the person who broke the taboo but also all the families of the workers including the claim owner.” (Caballero)

- Tungtung

It is a manner of settling disputes through dialogue. The tungtung is done with the elders (or barangay officials or even with officers of the federation) (formal, informal structures within the community) of the community facilitating discussions between the parties involved and meting out fines to the offending party based on the offense that is committed. The tung -tung ends in a ritual, which aims to repair the damage and restore trust in the community by sharing a meal. This is still widely practiced among the communities in the Cordillera and Benguet as well. The leaders/elders almost always have positions within the formal government structure and the traditional one. These memberships in a way helps the “tungtungan” that agreements are formalized in both these structures.

ANNEX 1: List of Key Informants

Name	Municipality	Office/Organization	Designation	Contact Number
1. Hon. Gideon P. Todiano	Kabayan	Office of the Mayor	Local Chief Executive	
2. Samuel L. Geking	Kabayan	Municipal Agriculture Office	Agric II/ MENRO	
3. Randy T. Luma-ang	Kabayan	Municipal Local Government Office	MLGOO	
4. Engr. Berry K. Sangao, Jr.	Kabayan	Municipal Planning & Development Office	MPDC	
5. Julia B. Todiano	Kabayan	Municipal Treasurer's Office		
6. Dr. Felix A. Mangaltag, Jr.	Kabayan	Municipal Health Office	MHO	
7. Coun. Orlando Molitas	Kabayan	Sangguniang Bayan	SB for Environment	
8. Coun. Sario Minas	Kabayan	Sangguniang Bayan	IPMR	
9. Mario Teleno	Kabayan	Tinudan Miners Association	President	0905 506 6710
10. Helen Torren	Kabayan	Poblacion Barangay Hall/ Cotcot – Abucay Small Scale Mining	Barangay Kagawad/ Auditor	0948 230 8009
11. Hon. Isabelo Anselmo	Bokod	Poblacion Barangay Hall	Punong Barangay	
12. Tony D. Delico	Bokod	Poblacion Barangay Hall/ Association of the the Bolo Indigenous People (ABIP)	Barangay Kagawad/ Auditor	0930 780 0480
13. Ketih S. Sigot	Bokod	Poblacion Barangay Hall/ Association of the the Bolo Indigenous People (ABIP)	Barangay Kagawad/ Member	
14. Pancho Esnara	Bokod	Municipal Planning & Development Office	MENRO	
15. Realonda T. Dictag	Bokod	Municipal Planning & Development Office	MPDC	
16. Mated S. Oldico	Bokod	Municipal Treasurer's Office		
17. Benedict T. Apilis	Bokod	Sangguniang Bayan	SB Secretary	
18. Coun. Fausto Maliones	Bakun	Sangguniang Bayan	IPMR	
19. Coun. Jun Raymundo Sunien	Bakun	Sangguniang Bayan	SB for Environment	
20. Dr. Mary Jane Tayaban	Bakun	Municipal Health Office	MHO	
21. Denver Mariacos	Bakun	Municipal Environment and Natural Resources Office	MENRO	

22. Lorenza Tingbaoen	Bakun	Gambang Barangay Hall	Barangay Kagawad	
23. Dick Menzi	Bakun	Songyoan Pocket Miners Association	Auditor	0995 147 5434
24. Clarita Subido	Bakun	Goldstar Pocket Miners Association	President	0920 486 7596
25. Marzan Lubante	Itogon	Ucab Indigenous Community Livelihood Association (UICLA)	President	0930 499 1856
26. Jerome Daniel	Itogon	Mayor's Office	Community Affairs Officer	
27. Francisco Lictag	Itogon	Municipal Planning & Development Office		
28. Ida Jances Ciriaco	Itogon	Municipal Health Office	Nurse	
29. Santiago N. Bartolome	Sablan	SB Office	SB Secretary	09172535387
30. Ares P. Compala	Sablan	MENRO	MENRO Designate	09995544958
31. Leoncio D. Na-oy	Itogon	Benguet Federation of Small Scale Miners	Director	09071633231
32. Alfred Bugnosen	Itogon	Benguet Federation of Small Scale Miners	Secretary General	09294696429
33. Leoncio Kaniteng	itogon	Benguet Federation of Small Scale Miners	President	
34. Eric Abangley	Kapangan	MENRO	OIC-Menro	
35. Arsenio Bellen	Baguio	BSP Baguio Buying Station		4242391
36. Rogel Joseph D. del Rosario	San Fernando, LU	BSP La Union Regional Office	Director	63728882083
37. Ruben Tindaan	Buguias	Office of the Mayor	LCE	09999904930
38. Joy C. Bocanog	Mankayan	MENRO	MENRO Designate	
39. Dick Tip-ac	Mankayan	MPDO	MPDC	09472752246
40. Benita Sido	Mankayan	RHU	PHN	
41. Euchols P. Manacnis	Mankayan	DILG	MLGOO	
42. Celia T. Bognalen	Mankayan	Municipal Treasurer's Office	Acting Municipal Treasurer	09995986274
43. Denver Tongaoan	Mankayan	SB	Kagawad	09083118492
44. Materno Luspian	Mankayan	MLGU	LCE	
45. Ian Lee T. Tagaway	Mankayan	Municipal Assessor's Office	MAO staff	09205439800
46. Joyce Lingbaoan Herman	Tublay	Municipal Treasurer's Office	Municipal Treasurer	

47. Abner Lawangen	Tublay	MDRRMO	MDRRMO	
48. Armando Lauro	Tublay	Office of the Mayor	LCE	
49. Prudencio M. Mendoza	Tublay	MPDO	MPDC	09122043611
50. Lydia D. Cosme	Tublay	RHU	PHN	09271663918
51. Virginia L. Chan	Tublay	DILG	MLGOO	09082861158
52. Nestor Fongwan Jr.	La Trinidad	SB	SB	
53. Arthur Pedro	La Trinidad	MENRO	MENRO	0919323 1010
54. Rene Vincent Ballug	Benguet	DILG Benguet Office	LGOO V	09292371751
55. Marleen M. Guerzon	Benguet	DILG Benguet Office	LGOO VI	09185391047
56. Apolinario Camsol	Benguet	SP Office	SP	
57. Joseph Cervantes	Benguet	BPENRO	Engineer/TWG PMRB	
58. Imelda Macanes	Benguet	Provincial Treasurer's Office	Provincial Treasurer	4225657
59. Isabel Kiw-an	Benguet	Provincial Treasurer's Office	Revenue Division Staff	4245658
60. Samson Paquit	Tuba	MENRO	MENRO	
61. Tita Bugtong	Tuba	SB Office	IPMR	
62. Bridgette Ulep	Tuba	DILG	MLGOO	
63. Eliza Domiguez	Tuba	MPDO	MPDO staff	
64. Mary Rosaline P. Leon	Tuba	Municipal Treasurer's Office	Municipal Treasurer	
65. Noel G. Tomin	Tuba	Municipal Assessor's Office	Local Assessment Officer II	
66. Fay Apil	Baguio	MGB	Director	
67. Santiago Bugnosen	Baguio	MGB	TWG	
68. Pedrina Elias	Atok	MPDO	MPDO Staff	09091077146
69. Atty. Roland P. Calde	Baguio	NCIP	Director	
70. Marcos Olayo	Kibungan	SB	SB for the Environment	
71. Lowell Barton	Baguio	EMB CAR	Engineer	09085140000

Focus Group Discussions

Municipality/ Association	Small Scale Mining Associations	FGD participants
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1. Itogon	UICLA	Alfred Bugnosen, Marzan Lubante, Jovita Bartolome, Joward Bartolome, Reynold Bartolome, Teresita Salve,
2. Mankayan	Igorote Extreme	Lardo Camolo, Augusto Batcagan, Jimmy Lawana, Mario S. Lundaes, Balodoy M. Totanes
3. Tuba	Gold Stream	Benny Venida, Kulia Venida, David Tomilas, Alex S. Gawiden
4. Tublay	Ambassador Small Scale Miners	Joseph Cosente, Pedro Layugan, Sison Balaoing, Nelsin Santiago, Barangay Captain Ticbayan
5. La Trinidad		Christopher Albano, Jonrad Locloc, Ronald Parista, Juan Fidel, Arthur Pedro
6. Benguet Federation of Small Scale Miners		Lomino Kaniteng, Leoncio Na-oy, Alfred Bugnosen, Maximo Martines

ANNEX 2: List of Sources

1. Benguet PENRO List of SSM
2. Benguet Revenue Codes
3. Benguet SSM Ordinance 2017, 3rd Reading
4. DAO 2015-03, Minahang Bayan Guidelines
5. Gold from the Gods: Traditional Small-Scale Miners in the Philippines. Evelyn J. Caballero.1996.
6. Managing the Social Impacts of Mine Closure: Mining and Communities in Benguet, Northern Philippines. Minerva Chaloping-March. August 2008.
7. Memorandum: Applications for the Declaration of Minahang Bayan Areas in the Municipalities of Itogon and Tuba Benguet
8. Philippines EITI Scoping Study on Small Scale Metallic Mining. Ma. Aleta C. Nunez, December 2015
9. Small Scale Mining Day Souvenir Program, November 2017.
10. Special Order No. 2018-53: Creation of the National Task Force Mining Challenge (NTFMC).
11. SSM Summit Benguet Presentation MGB CAR. Powerpoint presentation
12. Status of Minahang Bayan Applications in CAR
13. Study on the Small-Scale Gold Mining Operations in Benguet and South Cotabato and their Impact on the Economy, the Environment and the Community, Alternative Forum for Research in Mindanao. March 2012
14. The Philippine Environmental Impact Statement System and Small-Scale Mining, Director Reynaldo S. Digamo EMB-CAR, DENR / November 27, 2017. Powerpoint Presentation.

ANNEX 3: List of Associations and Individual Operators

No.	Municipality	Name of Association	Barangay	No. of Officers and Members	President	Activities
1	Bakun	Goldstar Pocket Miners Association			Nenita Taguda	
2	Itogon	Billy Ayadi				
3	Itogon	William-Butch Small-Scale Mining Association	Ampucao	62	Edgar Sacpa	
4	Itogon	Jose Carlo Milan				
5	Itogon	Juan Carlo Milan				
6	Itogon	Rino Pocket Mining Association (RPMA)	Loacan		Morgan Bumacas	
7	Itogon	Yang Gold Tocmo -Mangga-Binatangan pocket Miners Association Inc.	Tuding	34	Gina T. Abanga	clean-up, tree planting
8	Mankayan	Bayudang (Bayodang)-Maging Clan Small Spocket Miners Scale Miners Association			Charlie Madino	
9	Mankayan	Jesson Cervantes Group SSM		12	Jesson Cervantes	
10	Mankayan	Lower Suyoc Taneg Pocket Miners Association		56	Johnny Antonio	
11	Tuba	Camp Six Explorer's Small-Scale Mining Association	Camp 4		Guillermo Padsoyan	
12	Tuba	Goldstream Pocket Miners Association		75	David Tomilas	clean-up drive, livelihood
1	Bakun	Modesto Lang-ey				
2	Bakun	Batanes Pocket Mining Association				

3	Bakun	Songyoan Pocket Miners Association		25 Officers	Artemio Gonzalo	nursery establishment
4	Bokod	Donesio B. Castro				
5	Bokod	Bolo Small Scale Mining Association				
6	Itogon	Nay-en Taluan Small Scale Miners Association (NTSSMAI)	Ampucao	148	Ricardo Liwayan	concreting
7	Itogon	Ud-udan Calhorr Bayating Camote Miners Association	Ampucao	223	Roger Olanos	
8	Itogon	Purok Singko Private Miners & Gold Panners Association	Ampucao		Estrella Kildo	
9	Itogon	Palonopon (Pulonopon) Small Scale Mining Association			Gerson Bugnosen	
10	Itogon	Saddle Heartwell Goldhill Goldcoin Community Livelihood Association (SHGGLA)	Ampucao	684	Ermundo J. Nilo	
11	Itogon	Saes Small Scale Mining Association (SSSMA)	Ampucao	32	Erwin Gabayne	Clean-up drives
12	Itogon	Sitio Samuyao Gold Panners Association	Ampucao		Arnold Gayao	
13	Itogon	Dontog Manganese Pocket Miners Association, Inc.	Ampucao	48	Ninoy Kido	
14	Itogon	Nagawa Small Scale Miners Association	Ampucao	95	Richard Ayadi	Clean-up drives, tree planting, community beautification
15	Itogon	Pedped Surong Small Scale Miners and Neighborhood Association	Gumatdang		Yshmael Camza	
16	Itogon	Dalisay Camote Miners Association (DCMA)	Gumatdang	210	Melchor Dayag	
17	Itogon	Antamok Loacan Northwall Miners Association (ALNMA)	Loacan	532	Lopez D. Milo	nursery, reforestation
18	Itogon	Loacan Itogon Pocket Miners Association Inc. (LIPMA)	Loacan	344	Eduardo Kingay	

19	Itogon	Luneta Miners Association		825	John Latongan	nursery, reforestation, quarterly clean-up drive
20	Itogon	Baka Rino Tacong Small-Scale Mining Association (BARITA)				
21	Itogon	Gerson Tamang				
22	Itogon	Badjengan Ampasit Pocket Miners Association (BAPMA)	Poblacion			
23	Itogon	Goldfield Saranay Community Miners Association (GSCMA)				
24	Itogon	Cattle Herders Association of Poblacion (CHAP)				
25	Itogon	Tuding Integrated Rural Assistance for Development (TIRAD)	Tuding	30	Efren Pisec	clean-up drives, nursery establishment, tree planting
26	Itogon	Gold Creek Amte Community Association Inc. (GCACAI)	Gold Creek	172	Mario Nabaysa	clean-up drives, nursery establishment, tree planting
27	Itogon	Southern Ucab Small Scale Miners Association (SUSSMA)				
28	Itogon	Midas Ducot Community Livelihood Association (MDCLA)	Ucab	109	Pedro Otinguey	
29	Itogon	Garrison Small Scale Miners Association	Ucab	176	David Dalisay	clean-up drives, nursery establishment and maintenance, tree planting, agroforestry
30	Itogon	Cacaok Small Scale Mining Association	Ucab	82	Joel Chinean	
31	Itogon	Ucab Itogon Miners Association	Ucab			
32	Itogon	Lower Gomok Workers Cooperative (LGWC)	Ucab	22(officers)	Edwin Banawol	
33	Itogon	Acupan Contract Mining Project (ACMP)	Virac			

34	Itogon	Acupan Upper Camp Commnity Livelihood Association	Virac	12 (officers)	Joseph W. Cayamdas	infrastructure,
35	Itogon	Camp 5 Community Small Scale Miing and Livelihood Association	Virac		Alfredo Pacdayo	
36	Itogon	Cadaklan Riverside Association				
37	Itogon	Camp Suerte Livelihood Association (CSLA)	Virac		Jimmy Toyoken	
38	Mankayan	Palidan Igorote Indigenous Peoples Small Scale Miners Association				
39	Mankayan	Extreme Igorot Pocket Miners Association				
40	Mankayan	Pacad-Sanguan Small Scale Mining Association Inc.				
41	Mankayan	Nayak Small Scale Miners Association				
42	Mankayan	Agosto Teliakan SSM				
43	Mankayan	Paalaban Gold Panners Association				
44	Tuba	SVR Miners Association				
45	Tuba	Kilong Gusaran Balococ Community and Livelihood Association				
46	Tuba	Mariano Kilbasen Small Scale Mining Association (MKSSMA)				
47	Tuba	Joseph Ayod				
48	Tuba	Tito Galla				

49	Tublay	Km. 21 Small Scale Mining Association (Km21 SSM)				
50	Tublay	Boted Small Scale Miners Association				
51	Tublay	Dennis Tan/Ben Polig				
52	Tublay	Sabado Lucio				
53	Tublay	Alfredo Mario				
54	Kabayan	Abucay Small Scale Miners Association				
55	Kabayan	Abucay Cottop Small Sacale Mining Association Inc.				
56	Kabayan	Babek-Tikel Calimba Pocket Miners Gold Sampling Association Inc.				
57	Itogon	Emerald Mountain Explorers Association Inc.	Kias			
58	Itogon	Reavis Antamok Miners Association Inc. (RAMAI)	Loacan	77	Johny Habbiling	
59	Itogon	Keystone Small Scale miners Association	Ucab	76	Teodoro Sacpa	
60	Itogon	Otek Pocket Miners Association	Ucab	218	Jomel Binoloc	tree planting
61	Itogon	Indigenous People of Baayan Piging Aleb Association Inc (IPBAPA)	Ucab		Norman T. Tanas	Clean-up drives, nursery, reforestation
62	Itogon	Dacap Bogay-Yong Livelihood Association (DBLA)	Ampucao	17 officers/77 (families)	Florentino Lewis	
63	Itogon	Antamok Ucab Regulated Miners Assn'n (ARMAS)	Antamok	12 (officers)	Jacob Carantes	clean-up drive
64	Itogon	Dalicno Small Scale Miners Association (DASSMA)	Ampucao	287	Ceasar Carbonel	

65	Itogon	Lolita Ampucao Youth and Adults, Inc. (LAYAO)	Ampucao	104	Conchita Salongasing	
66	Itogon	Bayating Upper Camp Livelihood Community Association	Upper Camp	98	Joel C. Apil	
67	Itogon	Abidong Saldin Miners Association	Loacan	77	Darwin Ciano	
68	Itogon	Ucab Indigenous Community Livelihood Association	Ucab	191	Marzan Lubante	Nursery, reforestation
69	Itogon	Ladies of Sagaok Livelihood Association of Simpa	Ampucao		Josephine Abiasen	
70	Itogon	Simpa Small Scale Miners Association	Ampucao		Cesar Altiga	
71	Itogon	Purok Tipong Traditional Small Scale Miners Association	Ampucao		Abraham Baguingey	
72	Itogon	Sabtán Ampucao Livelihood Assn	Ampucao		Brandon Palubos	
73	Tuba	Sugalan Clan Small Scale Mining Assn'n Inc.		83	Angelita Sugalan	clean-up drive, concreting
74	Itogon	Clan Pagnas Small Scale Association	Virac			
75	Itogon	William Butch Small Scale Mining Association (WBSSMA)	Ampucao	62	Edgar Sacpa	
76	Itogon	Sonyo-an Small Scale Miners Association		25 (officers)		
77	Itogon	Cadaklan Riverside Association				

ANNEX 4. List of SSM Associations, Officials and Registration

ASSOCIATION	POSITION	NAME	REGISTRATION
ITOGON			
1. Saddle Hartwell Goldhill Goldcoin Community Livelihood Association, Inc.	President	Ernundo J. Milo	SEC
	Vice President	Dawe T. Palcongan	
	Secretary	Maritess P. Dumo	
	Asst. Secretary	Liza P. Asmin	
	Treasurer	Vangeline B. Pinkihan	
	Auditors	Johnny Q. Pal-lay Anita B. Budo Irene Patras Luisa S. Palcongan	
	P.R.O.	Rey B. Budo Roly Dumo	
	Bus. Managers	Violeta S. Palcongan Irene B. Licuben Judy P. Dongpo-en	
	Sergeant at Arms	Orlly Bensosan Jesse T. Marcos Norlito P. Pay-oen Marzon L. Martes Sebio B. Cabansi Norman S. Lag-ey John D. Solomon Paulo B. Dumo Jerrico T. Kiddagan Philip Benbinen	
2. Ucab Indigenous Community Livelihood Association (UICLA)	President	Marzan Lubante	DOLE
	Vice President	Danilo Remiendo	
	Secretary	Nelson Bumakil Jason Saguibal Danny Tobias	
	Treasurer	Rolly Dateng	

	Sergeant at Arms	Jerry Nabi Mario Lubante Rogelio Nabunat Alfredo Galon	
	Coordinator	Armando Depayno Rolan Sibal Joseph Andres Dario Dalisay Archie Tumilden Angeline Ayadi Judith Ayadi Bernardine Depayno	
3. Abidong Saldin Miners Association, Inc.	President	Darwin Ciano	
	Secretary	Denzel Lopez	
	Treasurer	Divina C. Willy	
4. Luneta Miners Association (LMA)	President	John Latongan	SEC
	Vice President	Carlos Gansoen	
	Secretary	Jane Ciano	
	Treasurer	Josephine Paayas	
	P.R.O.	Gabriel Selnga Jackson Apadchew	
	Business Managers	Soledad Benito Nancy Toyoken	
	C.V.O.	Alex Bilog Eduard Saraan Jaime Bakiadan II Adolfo Doladol Robert Wangiwang Bernie Ellamil Domingo Sildon	
	Committee on Sanitation	Soledad Benito	
	Committee on Environment	Jeanne Valencia	

	Committee on Safety	Joseph Agwiking	
	Committee on Peace and Order	Carlos Gansoen	
	Committee on Screening	Carlos Gansoen	
	Adviser	Ernesto B. Dilla	
5. Bayating UpperCamp Livelihood Community Association	President	Joel C. Apil	
	Vice President	Raymond C. Menzi	
	Secretary	Neneth C. Pay-oen	
	Asst. Secretary	Rico Jay Catanes	
	Treasurer	Junard Osting	
	Auditor	Herman Mangket	
	P.R.O.	Noriel Eustaquio	
	Business Managers	Nicktor Menzi Ben Bonifacio	
	Sergeant at Arms	Apollo Apil Marwin Gorio Degnos Menzi Julius Malidom Vincent Jim Catanes Kinley Menzi Dario Catanes Rolando Campos Amor Ignacio Brando Serrano	
6. Goldstream Small Scale Miners, Inc.	President	David Tomilas	
	Vice President	Philip Asmin	
	Secretary	Perlita Emperador	
	Treasurer	Sandy Asmin	
	Auditor	Johnny Kering	
	Business Manager	Fred Mulao	
	P.R.O.	Welmer Kimbatoy	
	Sergeant at Arms	Sonny Tomilas Laurel Kering	

		Waldo Asmin	
7. Lolita Ampucao Youth and Adult Organization Incorporated (LAYAO, Inc.)	President	Concheta Salungasing	
	Vice President	Rey Cayat	
	Secretary	Rita Lamagan	
	Asst. Secretary	Denver Candoyas	
	Treasurer	Christine Alcido	
	Auditor	Adora Canduyas	
	P.R.O.	Leni Pacio	
	Business Managers	Vilma Jimenez Leah Puyas	
	Sergeant at Arms	Erining Lamagan Victoria Cayat Merilyn Ediong	
8. Dalicno Small Scale Miners Association (DASSMA)	President	Cesar Carbonel	
	Vice President	Tony Bestre	
	Secretary	Karen Sacpa	
	Asst. Secretary	Jennifer Martes	
	Treasurer	Dominga Paas	
	Asst. Treasurer	Nora Raon	
	P.R.O.	Jose Baguingey Efren Busacay Florendo Agno Froilan Lisayen	
	Auditor	Grace Manuel Mary Selencio	
	Business Managers	Julie Lorenzo Menandro Singwa, Jr. Jomar Dao-ines Manny Agno	
	Sergeant at Arms	Jeffrey Baguingey Raul Cruz Felix Gasilang Brent Abad Pedro Diego	

		Rafael Diwan Joseph Ngaosi Irene Lamagan Marcos Tami Jiner Payaodao	
9. Garrison Small Scale Miner's Association	President	David Dalisay	DOLE
	Vice President	Elisio Pacio	
	Treasurer	Joni Menzi	
	Secretary	Rudyrick Pao-eng	
	P.R.O.	Jeffrey Pacio	
	Auditors	Ramon Dalisay Kennedy Waclin	
	Business Managers	Arthur Tanacio Joseph Menzi Placido Waclin	
	Sergeant at Arms	Cristino Bugatan John Dalisay Marjude Langban Rudy Pudsoc, Jr. Sonny Rafael	
10. Sugalan Clan Small Scale Association, Inc.	President	Angelita G. Sugalan	SEC
	Vice President	Herminia O. Calicdan	
	Secretary	Analiza C. Akiapat	
	Treasurer	Caroline T. Sugalan	
	Auditor	Sandra B. Camoda Leonidez S. Camoda	
	Business Managers	Fernando O. Calicdan Abian S. Sugalan	
	Sergeant at Arms	Emmanuel O. Calicdan Brenda G. Sugalan	
11. William Butch Small Scale Miners Association	President	Edgar Sacpa	SSMC 004-2014
	Vice President	Guiller Esteban	
	Secretary	Roceiller Walsi-en	
	Treasurer	Mercedez Ngaosi	
	Auditor	Gilford Esteban	

12. Yang Gold Tocmo – Manga – Binatangan Pocket Miners Association, Inc.	President	Gina S. Abanga	SEC
	Vice President	Alex A. Asiong	
	Secretary	Gina A. Segundo	
	Asst. Secretary	Marta T. Benaoc	
	Treasurer	Robert C. Segundo, Jr.	
	Auditor	Reginald De Castro	
	P.R.O.	Nelson Guillermo Arthur Asiong	
	Business Managers	Juanito P. Segundo Rene C. Segundo	
13. Antamok – Ucab Regulated Miners Association (ARMAS)	President	Jacob R. Carantes	DOLE, SEC
	Vice President	John B. Godos	
	Secretary	Brando S. Pesase	
	Treasurer	Daniel A. Beleo	
	Auditor	Rudy S. Bumilac	
	Business Manager	Modesto N. Takinan	
	P.R.O.	Joseph M. Banoca	
14. Dalisay Camote Miners Association	President	Melchor L. Bayag	
	Vice President	Peter M.	
	Secretary	Reynaldo B. Papat-ew	
	Treasurer	Mary Jane L. Kayad	
	Auditor	Iban D. Consi	
	P.R.O.	Rudy B. Gallema	
	Business Managers	Florcelia Y. Cupatan Alano B. Gallema	
15. Dacap Bogay-yong Livelihood Association (DBLA)	President	Florentino Liwes	
	Vice President	William Patalan	
	Secretary	May Joy Bantiag	
	Asst. Secretary	Cris Ab-abo	
	Treasurer	Egnacio Banwa	
	Auditor	Joseph Licwasen	
	P.R.O.	Melchor Liwes Bernie Dayote Inyong Lawa	

	Business Managers	Efren Basilan Eden Basilan	
	Sergeant at Arms	King Jame Daysa Benhie Luteb Dennis Tanacio Marcos Polquiso, Jr. Lee Jhun Quilop Roy Basilan	
16. TIRAD (Tuding Integrated Rural Assistance for Development) Small Scale Mining Association	President	Efren Pisec	
	Vice President	Nestor Camolo	
	Secretary	Tina Camolo	
	Treasurer	Ruby Lanangilang	
17. Nay-en Taluan Small Scale Miners Association, Inc.	President	Marcela Mendoza	
	Vice President	Ricardo Liwayan	
	Secretary	Elizabeth Mendoza	
	Asst. Secretary	Marjory Barawa	
	Auditor	Belen Ngingian	
	Treasurer	Jeana Mendoza	
	Asst. Treasurer	Joel Balbino	
	P.R.O.	Julio Mendoza Marcos Pitas	
	Sergeant at Arms	Berto Mendoza Danilo Comissing	
18. Lower Suyoc Pocket Mining Association (LSTPOMA)	President	Johnny Antonio, Sr.	
	Vice President	Hilton Gayaso	
	Secretary	Genevieve S. Blanco	
	Asst. Secretary	Genevieve D. Copite	
	Treasurer	Joan Lipadan	
	Auditor	Gerson Antonio Edgar Liampo	
	Business Manager	Vicente Bucasan	
	Sergeant at Arms	Rouquillio Juaquin	
19. Cacaok Small Scale Miners Association	President	Joel A. Chinean	
	Vice President	Danny T. Balawen	
	Secretary	Fernand T. Balawen	

	Asst. Secretary	Efren W. Tumacdang	
	Treasurer	Ronnie M. Sugabang	
	Auditor	Belino B. Seb-ag	
	P.R.O.	Jocelyn W. Buena	
	Business Manager	Filmoure Teodoro	
	Sergeant at Arms	Marvin B. Ambog Gilbert Buena Mario Taligan Joel Tello Dalton Agosto	
20. Saes Small Scale Mining Association	President	Erwin Gabayne	
	Vice President	Manny Bongtan	
	Secretary	Jeather Marcos	
	Treasurer	Wilfredo Tanas	
	Auditors	Lido Guiniling Carmencita Osingat	
	Business Managers	Judith Bongtan Olive Osingat	
	Sergeant at Arms	Paul Camacho Manuel Bongtan	
21. Antamok Loacan Northwall Miners Association, Inc.	President	Lopez D. Milo	
		Patricio B. Moncion	
		Chito L. De Leon	
		Wendell S. Pablo, Sr.	
		Benjamin Badajos	
		Rufino Balacang, Jr.	
	Business Manager	Rodante B. Unay	
22. Indigenous People of Bayan Piging Aleb Association, Inc. (IPBAPA)	President	Norman T. Tanas	SEC, Certificate of Accreditation by the SB
	Vice President	Vilma Gados	
	Secretary	Juliet Pio	
	Treasurer	Emy Baldasan	
	Auditor	Erenia Palista	
	Business Manager	Danilo Remiendo	

23. Nagawa – Urica – Bes-ang – Shoot Association (NUBSA)	President	Richard Ayadi	
	Vice President	Marlon Dadayan	
	Secretary	Sepreda Soriaga	
	Treasurer	Marlyn Lucaben	
	Asst. Treasurer	Marcelino Dadaya	
	Auditor	Joseph Lucaben	
	P.R.O.	Carina Lecwasen	
	Business Managers	Javier Licuasen Francisca Montino Teddy Baldos Hilda Tanacio	
	Sergeant at Arms	Brent Batalier Martin Dadayan Alex Tanacio Brandon Dominguez Dharie Altuinie Jaffet Jimenez Ramil Cambato Ruden Dadayan Rico Cambato Eric Adawi Arnel Lecwasen	
24. Otek Pocket Miners Association	President	Jomel Binoloc	
	Vice President	Zaldy Gunnay	
	Secretary	Desiree Luis	
	Treasurer	Leo Luis	
	Auditor	Robert Sabbang	
25. Goldcreek Amte Community Association, Inc.	President	Mario Nabaysa	SEC
	Vice President	Nelio A. Campanado	
	Secretary	Judith Udaundo	
	Asst. Secretary	Ester Dangpilen	
	Treasurer	Allyson Calig-a	
	Auditor	Yolanda Almain	
	P.R.O.	Patrick Bugatan	

	Auditors	Orlando Nabaysa Dennis Amando	
	Business Managers	Jane Yec-ew Felipe Payad	
26. Ud-udan, Calhorr, Bayating Camote Miners Association, Inc.	President	Roger Olanos	
	Vice President	Napoleon Andrew	
	Secretary	Lydia Daisa	
	Treasurer	Evangeline Bacbac	
	Auditor	Jocelyn Bitaga	
	Business Managers	Virginia Bunag Menia Sapalit	
	P.R.O.	Tarsiso Andrew Norman Dionisio	
	Sergeant at Arms	Marcial Balluda Julius Tanacio Allan Tiongan Jerry Bay-an Elmer Melendres Santos Jemino Saldy Camid-eng	
27. Lower Gomok Workers Cooperative/ Lower Gomok Multi-purpose Cooperative	President	Edwin Banawol	
	Vice President	Joe Caw-as	
	Treasurer	Moreno Bolhayon	
	P.R.O.	Eddie B. Nattem	
	Auditors	Marlon Habiling Morendo Mamao	
28. Midas Ducot Community Livelihood Association	President	Pedro Otinguey	
	Vice President	Marlon Dilam	
	Secretary	Tolentino Balongao	
	P.R.O.	Marcelino Ducayag	
	Business Manager	Jordan Balantan Mendez Mendoza	
	Treasurer	Roland Meloy	
29. Keystone Small Scale Miners Association	President	Teodoro Sacpa	
	Vice President	Ramon Langban	

	Secretary	Aida Cosente Tudias	
	Treasurer	Jocelyn Buena	
	Auditors	Freddie Tumacdang Marvin Puyao Johnson Tudias	
	Business Managers	Arlon Tumacdang Noble Wakat Lee Consi	
	P.R.O.	George Tainan Eunimar Gatong-o	
	Sergeant at Arms	Ben Tait Roy Crispino Paul Asias Gilbert Buena	
30. Dontog Manganese Pocket Miners Association, Inc. (DOMAPMA)	President	Ninoy Kido	
	Vice President	Joseph Daoines	
	Secretary	Tony Bestre	
	Treasurer	Roy Liwaliw	
	Auditors	Simeon Pelmino	
	Business Managers	Danilo Cabatan Marzan Campos Johnny Bastardy Agosto Gasilang	
31. Loacan Itogon Pocket Miners Association	President	Eduardo Kingay	SEC
	Vice President	Florencio Betudio	
	Secretary	Carol Akitan	
	Treasurer	Andres Cuyan	
32. Acupan Upper Camps Community Livelihood Association	President	Joseph W. Cayamdas	
	Vice President	Alfredo Bugnosen	
	Treasurer	Brenda S. Dulnuan	
	Secretary	Sheryl L. Langguyan	
	Asst. Secretary	Fressian S. Pinkihan	
	Auditor	John Toyokan	

33. Reavis Antamok Miners Association, Inc. (RAMAI)	President	Johny Habbiling	SEC
	Vice President	Mario Waayan	
	Secretary	Jhun Dupyawon	
	Treasurer	Rogelio Betudio	
	Auditor	Jimmy Habbiling Kim Gragasin	
	P.R.O.	Klent Ayan	
	Business Manager	Octavian Habbiling	
	Sergeant at Arms	Nestor Napadawan Alejandro Batinan, Jr. Jeremy Habbiling Leonardo Malodrigo Pepe Pakiwon Andy Martin Ben Padchin Francis Ugahon Valentino Habbiling Roger Habbiling, Jr.	
Bakun			
1. Songyo-an Small Scale Miners Association	President	Artemio Gonzalo	SEC
	Vice President	Peter Aguindang	
	Secretary	Alfred Aguindang	
	Asst. Secretary	Fred Aguindang Corazon Calixto	
	Treasurer	Antonio Gonzalo	
	Asst. Treasurer	Jover Guina-ao	
	Business Manager	Hilda Lalong Michael Tinda-an	

		Betselyn Simeon Anthony Buli-e Estella Liwaliw	
	P.R.O.	Rex Aguindang Orly Lupa-as Malibao Damoslog Michael Lalong	
	Sergeant at Arms	Teresita Gonzalo Jefferson Guina-ao Mercy Bagleo	
BAGUIO CITY			
1. Emerald Small Scale Miners Multi-Purpose Cooperative	Chief Executive Officer	Leoncio D. Na-oy	CDA
	Treasurer	Leonardo N. Bruno	
	Staff	Lester Y. Bruno	
MANKAYAN			
1. Jesson M. Cervantes Group		Jesson M. Cervantes	SSMC 005-2014
		Carlo A. Manggalis	
		Eugene Fred Maingga	
		Herman Suben	
		Kevin Copite	
		Marcial Panganiban	
		Nelson Panganiban	
		Rex Pacio	
		Sabado Copite	
		Valentino Taguigui	
		Vernon	
		Vicente Copite	

ANNEX 5: Pictures During the Scoping Study

At the Benguet Provincial Capitol for the presentation of the Provincial SSM ordinance, and Project Launch.



A Presentation of the proposed Benguet Provincial Ordinance on Small Scale Mining at the Provincial Capitol, chaired by PB Member Apolinario Camsol on January 17, 2018.



Participants to the Project Launch “Strengthening Multi Stakeholder Participation in Small Scale Mining Governance in Benguet”. Held at the Provincial Capitol II on January 19, 2018.

Ucab, Itogon



A mine car used for hauling ore, Ucab, Itogon.



A mine tunnel entrance in Ucab, Itogon



Marzan Lubante sampling the ore. Ucab, Itogon



Mother and son small scale miners. Jovita and Joward Barolome in Ucab, Itogon

Mankayan, Benguet



Augusto Batcagan, Secretary of the Igorote Extreme Small Scale Miners Association in Suyoc Mankayan.

A photograph of a 'Municipal Treasurer's Office Tax Declaration of Real Property 2016' form. The form is for 'SUNDI CIOATAGAG SR.' and includes fields for 'Market Value (PHP)', 'Assessment Level (%)', and 'Assessed Value (PHP)'. The assessed value is listed as 'Sixty Four Thousand Pesos'. The form is stamped with a large circular seal of the Municipal Treasurer's Office, Mankayan, Benguet. The date 'OCT 13 2016' is stamped on the right side.

A copy of tax declaration of real property of a Mechanized Ball Mill. Municipal Treasurer's Office, Mankayan, Benguet

Camp 4 Tuba, Benguet

Kugi		1/10.08-20
25 lbs. meat	9.00.00	
5 lbs. meat	2.25.00	
5 lbs. sugar	2.70.00	
3 lbs. rice	5.10.00	
3 bags sugar	240.00	
1 goat meat	250.00	
" white beans	2.00.00	
1 goat black	4.00.00	
2 lbs. paraffin coffee	5.40.00	
3 lbs. sugar	2.20.00	
1 coconut oil	1.50.00	
10 lbs. rabbit	2.00.00	
1 goat black bear	2.20.00	
1 goat meat	2.50.00	
1 goat white bean	2.85.00	
1 bale of wool	5.70.00	
3 bags sugar	2.70.00	
3 lbs. rice	5.20.00	
4 lbs. paraffin	5.40.00	
5 lbs. meat	9.50.00	
7 lbs. rice	1.40.00	
3 lbs. sugar	7.10.00	
3 lbs. salt	2.00.00	
10 lbs. wool	2.50.00	
1 goat white bean	2.50.00	
1 " meat	2.20.00	
1 " black bean	2.00.00	

A page of the list of expenses for operations shared by Alex Gawiden, Camp 4 ,Tuba

[illegible]

A sample computation of earnings for an operation after expenses shared by Alex Gawiden, Camp 4 , Tuba.



A mine tunnel in Camp 4, Tuba, Benguet



“Linang” Manual grinding, Camp 4, Tuba, Benguet