

Illegal Mining Threatens Indigenous Land at Foot of Philippines' Tallest Peak

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Mount Apo, a protected area on the southern Philippine island of Mindanao, is threatened by small-scale illegal mining, which remains a lingering problem elsewhere in the resource-rich Southeast Asian nation.

Famous for being the tallest peak in the Philippines, at 3,143 meters (10,312 feet), Mt. Apo was declared a protected area about two decades ago. It spans 64,000 hectares (15,8147 acres), including the ancestral lands of Indigenous peoples, and is one of the most popular nature-based tourism sites in the country.

At a remote village home to the Obo Monuvu Indigenous people, called Manobo by lowlanders, illegal small-scale gold mining has left its mark, nearly a year after the mine was shut down by the authorities.

Mongabay tracked the mining tunnel deep in the forest of Magpet township in the province of North Cotabato with the help of tribal guides. Sacks of ore were piled up at the mouth of the tunnel, just beside a river and boarded up with wood.

“The operator did not seek permission from the tribal council to mine the area. They conducted their operations during the nighttime,” tribal chieftain Joel Buntal told Mongabay.

The illegal operation reached the attention of the Philippine environment secretary, Roy Cimatu, who in December 2020 ordered its closure following a raid in the area as a result of a tipoff.

“Whether big or small, any illegal mining activity will have to stop,” Cimatu said in a statement at the time.

The raiding team, led by officials from the Mines and Geosciences Bureau (MGB), an agency

under Cimatú's Department of Environment and Natural Resources (DENR), discovered a tunnel running 5 meters (16 feet), indicating that the mining operation was still in its early stage.

Inside the tunnel were around 25 sacks, each containing approximately 90 kilograms (200 pounds) of ore, the MGB reported, adding that the illegal mining operation used manual tools and not heavy mining equipment.

There was no ongoing mining activity at the time of the raid, but signs of recent extraction were observed, it noted.

The mining activity was not within a declared *Minahang Bayan* or "people's mining site," hence the operation was illegal, the MGB said. There are around [40 such sites](#) throughout the Philippines, where small-scale miners are legally allowed to operate within DENR guidelines.

In March this year, three months after the tunnel in Magpet was locked off, the MGB issued a cease-and-desist order against the illegal miners, who will face charges for violating mining laws.



Mt. Apo's distinctive peaks, viewed from a campsite at Lake Venado. The Mt. Apo protected area is a major ecotourism site. Image by Long Hudson via Wikimedia (CC BY-SA 4.0).

The illegal mining site was within the ancestral domain of the Manobo and within the Mt. Apo protected area. It's also part of a declared Indigenous Community Conserved Area (ICCA), Buntal said.

Buntal's tribe declared part of their ancestral domain as an ICCA to assert their land rights and protect the important cultural and biological sites in their dominion, which houses not

only their sacred grounds, such as their ancestors' graves, but also serves as a habitat of diverse wildlife, including the rare and critically endangered Philippine eagle (*Pithecophaga jefferyi*).

An estimated 85% of the country's key biodiversity areas (KBAs), or sites of high global biodiversity conservation importance, fall within the ancestral lands of Indigenous peoples, including the Manobo.

Manobo tribal leaders formed an association to push biodiversity protection. Out of the tribe's 28,220 hectares (69,733 acres) of ancestral land within and near Mt. Apo, they set aside at least 5,000 hectares (12,400 acres) of richly forested land as an ICCA, or what they call a biodiversity corridor.

A bill has been filed in the Philippine Congress seeking the recognition of Indigenous people-led ICCA sites. At least 10 areas across the country have been identified as focus areas due to their rich biodiversity.

Although the Manobo's ICCA declaration is not yet formally recognized by the government, they, like all Indigenous groups in the country, are legally entitled to the final say about the entry of development projects in their ancestral domain, through the process of free, prior and informed consent (FPIC).

In Magpet, there was a formal attempt in the 1990s to prospect for minerals, including gold, silver and copper, which was denied due to noncompliance with requirements, according to data from the MGB.

Government estimates place the value of the country's untapped mineral deposits, including gold, to be at least \$1 trillion.

Buntal said he recalled a mining company approaching his tribe for a potential open-pit mining operation on their ancestral land decades ago. But the tribe refused, saying the forest and its watershed are the community's lifeline and livelihood. "We will not allow open-pit mining method in our ancestral domain. It will destroy our environment. The watershed will be devastated," Buntal said.



Children at play near Mt. Apo in the southern Philippine island of Mindanao. The mountain is sacred to local Indigenous people and a haven for biodiversity. Image by Bong Sarmiento for Mongabay.

The artisanal small-scale gold mining industry employs some 300,000 to 500,000 miners in at least 30 provinces across the Philippines, according to an industry report. This includes children, as in the case of the illegal mine on the Manobo ancestral land.

Mongabay spoke to one of the child laborers, who said he typically carried four sacks of ore per day from the tunnel to a waiting truck, passing through a river several times and navigating steep and slippery slopes.

Each sack transported by foot weighs about 10 kg (22 lb), and at 5 pesos per kilo in pay, each child could earn 200 pesos (about \$4) per day.

But they weren't paid for their labor, which led them to complain to authorities, which in turn prompted the exposure of the illegal operation, said Benjamin Bugcal, a tribal council member. He added that ore was transported by truck to another part of Mindanao for processing.

Era España, another Manobo leader and former commissioner of the National Commission on Indigenous Peoples (NCIP), said there have been other illegal small-scale mining operations in the past that encroached on ancestral lands at the foot of Mt. Apo.

These operations existed "because the tribe allowed them," she said, even without going through the legal process.

España said that all investments within ancestral lands in the Mt. Apo protected area and its buffer zones should undergo the FPIC process, in which the tribe is given the opportunity to consent to development projects on tribal domains. Businesses that obtain an FPIC from the tribe can then get a certificate of precondition from the NCIP.

España said these development projects on ancestral lands can provide benefits such as

jobs and revenue for the community, but can also cause divisions among the tribe, affecting community relations and Indigenous governance systems.

In addition to illegal mining, the ancestral lands of the Manobo around Mt. Apo is threatened by banana plantation cultivated by non-tribal members, España said.

In these cases, Buntal, the tribal chieftain, said the plantations are allowed to operate because tribal members give their consent through agreements with individual businesspeople, for payments of at least 100,000 pesos (about \$2,000) per hectare for five years.

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