

EXECUTIVE ORDER NO. 270

**NATIONAL POLICY AGENDA ON REVITALIZING MINING
IN THE PHILIPPINES**

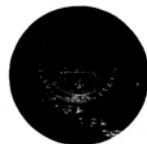
WHEREAS, Section 1, Article XII of the Constitution provides that the goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged; and that in the pursuit of these goals, all sectors of the economy and all regions of the country shall be given optimum opportunity to develop;

WHEREAS, Section 2, Article XII of the Constitution provides that the exploration, development and utilization of mineral resources shall be under the control and supervision of the State and Section 16, Article II thereof provides that it is the State's policy to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, the Philippines has potentially vast mineral resources that can be utilized for economic development and poverty alleviation, especially in the rural areas;

WHEREAS, Section 2, Republic Act No. 7942, otherwise known as the Philippine Mining Act of 1995 (Mining Act), provides that it shall be the responsibility of the State to promote the rational exploration, development, utilization and conservation of mineral resources through the concerted efforts of Government and private sector, in order to enhance national growth in a way that effectively safeguards the environment and protects the right of affected communities;

WHEREAS, paragraph 46 of the Plan of Implementation of the World Summit on Sustainable Development (WSSD) provides that mining, minerals and metals are important to the economic and social development of many countries and that in order to enhance their contribution to sustainable development, there is a need to address the environmental, economic, health and social impacts and benefits and enhance the participation of stakeholders throughout the life cycles of mining operations;



WHEREAS, Section 8 of the Mining Act provides that the Department of Environment and Natural Resources (DENR) shall be the primary Government agency responsible for the conservation, management, development and proper use of the country's mineral resources.

NOW, THEREFORE, I, GLORIA MACAPAGAL ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Declaration of Policy. It shall be the policy of the Government to promote responsible mineral resources exploration, development and utilization, in order to enhance economic growth, in a manner that adheres to the principles of sustainable development and with due regard for justice and equity, sensitivity to the culture of the Filipino people and respect for the Philippine sovereignty.

SEC. 2. Guiding Principles. The pursuit of the foregoing policy shall be guided by the following principles:

- a) Government recognizes the critical role of investments in the minerals industry for national development and poverty alleviation and shall provide support mechanisms for a sustained mineral exploration program, responsive research and development priorities and capability building for industry manpower.
- b) Clear, stable and predictable investment and regulatory policies shall be instituted to facilitate investments in mining, leading to a prosperous minerals industry.
- c) Value-adding as a measure of optimizing benefits from minerals for the Filipino people shall be pursued through the development of downstream industries to achieve greater productivity and efficiency.
- d) Small-scale mining shall be promoted as a formal sector of the minerals industry and as part of the development initiative for both downstream and upstream industries.
- e) Efficient technologies shall be adopted to ensure the judicious extraction and optimum utilization of non-renewable mineral resources to enhance sustainability.



- f) Protection of the environment shall be of paramount consideration in every stage of a mining operation; mitigation and progressive rehabilitation measures shall be integral components of mining operations.
- g) The ecological integrity of areas affected by mining operation, including biodiversity resources and small island ecosystem shall be upheld in order to protect public welfare, safety and environmental quality.
- h) Mining operations shall be pursued within the framework of multiple land use and sustainable utilization of mineralized areas.
- i) Remediation and rehabilitation of abandoned mines shall be accorded top priority to address the negative impacts of past mining projects.
- j) The economic and social benefits derived from mining shall be equitably shared by and among various units of government, as well as the affected communities.
- k) Sustained information, education and communication campaign shall be vigorously pursued, jointly with the industry and other stakeholders, about the minerals industry for purposes of enhancing public awareness and respect for the rights of communities, and reaching informed decisions on mining and related projects both at the national and local levels.
- l) Continuous and meaningful consultation process with the industry and all other stakeholders shall be instituted, to integrate concerns on minerals in resource management policy and planning.

SEC. 3. Implementing Strategies. The foundations for good governance based on transparency, accountability, partnership, equity, efficiency, and sustainability shall be adopted in the implementation of this Executive Order.

SEC. 4. Formulation of Action Plan for Minerals Development. A Mineral Action Plan (MAP) for minerals development anchored on the foregoing guiding principles and implementing strategies shall be formulated to provide the strategic directions, and rules and regulations for the exploration, development and utilization of the country's mineral resources.

For this purpose, the DENR is hereby directed to take the lead in the preparation of the MAP, which shall set, among others, the guidelines and procedures on the simplification and streamlining of permit and clearance systems, in consultation with agencies concerned, such as, but not limited to, the Department of Trade and Industry, the Department of the Interior and Local



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Government, the Department of Finance, the National Economic Development Authority, the National Anti-Poverty Commission, the National Commission on Indigenous Peoples, the mining industry and civil society.

The Draft MAP shall be submitted to the Office of the President within ninety (90) days upon the approval of this Executive Order.

SEC. 5. Support from Other Agencies. All departments, agencies and instrumentalities of Government are hereby directed to provide priority support in the formulation of the MAP.

SEC. 6. Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 16th day of January, in the year of Our Lord, Two Thousand and Four.

Gloria Arroyo



By the President:

Alberto G. Romulo

ALBERTO G. ROMULO
Executive Secretary

