



Republic of the Philippines
Department of Environment and Natural Resources
PENRO Marinduque

September 20, 2021

MEMORANDUM

FOR : Regional Executive Director, MIMAROPA

THRU : The ARD for Technical Services

FROM : The PENR Officer

SUBJECT : MARCOPPER's CONTINUING OCCUPATION AND POSSESSION OF THE FOREST LAND IN BARANGAY BALOGO, STA CRUZ MARINDUQUE

Please be informed that despite the issuance of a Notice to Vacate to the MARCOPPER Mining Corporation, the said corporation is still continuing their illegal occupation and possession of the subject Public Land **even after the lapse of 30 days**, the reglementary period provided by the DENR for them to vacate the area under OLP No. 2 (Bodega and Port) in Brgy. Balogo, Sta. Cruz, Marinduque) as indicated in the notice. This only shows their lack of intent to comply with the Order and leave the premises. It is a direct disrespect and contempt to the authority of the DENR. The MARCOPPER's continued possession and occupation of the land without the necessary permit causes detriment and harm to ecosystem that the department is giving its best to protect and preserve.

Being illegal, the DENR has the utmost right to lawfully remove their presence within the Forest Land through a legal suit in court. There are also some other issues and cases that may be discovered upon further investigation and verification, hence any construction or action that they may execute therein is a *fruit of a poisonous tree* thereby constituting as another violation that can be redressed through legal actions. It is a grave injustice and insult to the efforts of the Government if we allow this corporation to continue its illegal acts to the prejudice of the environment and the public interest as a whole.

We therefore *highly recommend* for this Corporation to be ejected from the area immediately **through an eviction case** in accordance with the law to be filed in the court of competent jurisdiction.

For your information and consideration.


IMELDA M. DIAZ

cc: The Chief, Legal Division