

Republic of the Philippines
Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

7/F DENR Building, 1515 Roxas Boulevard, Ermita, Manila
Telefax No. (+632) 8536-0215 / (+632) 5310-1369
Email: region4b@mgb.gov.ph



11 Hulyo 2023

Ginoong Julgadi Carim Tittle

Pangulo, IPDO BICAMM

Kinatawan ng Katutubong Pamayanang Pala'wan

ng Lupaing Ninuno ng BICAMM

(Barongbarong-Ipilan-Calasaguen-Aribungos-Mambalot-Maasin)

EDATS No. OSEC-2023-004487

Ginoong J. C. Tittle:

Ito ay patungkol sa inyong idinulog na resolusyon sa Kagawaran ng Kapaligiran at Likas na Yaman noong 08 Hulyo 2023 na ipinaabot sa aming tanggapan noong 10 Hulyo 2023 para sa aming nararapat na aksyon.

Ang naturang resolusyon ay hingil sa pagbawi ng pagsang-ayon ng Pamayanang Katutubong Pala'wan sa proyektong pagmimina ng Celestial Nickel Mining Exploration Corporation (Celestial)/Ipilan Nickel Corporation (Ipilan) sa bayan ng Brooke's Point, Palawan.

Nais po naming ipaalam ang mga sumusunod:

1. Ayon sa aming datos, nakatanggap ang National Commission on Indigenous People (NCIP) – MIMAROPA Region ng parehong reklamo na may petsang 14 Hunyo 2023 at 18 Hunyo 2023 mula sa Katutubong Pamayanang Pala'wan ng BICAMM dahil sa umano'y panunuhol ng Ipilan at paglabag sa proseso ng Free and Prior Informed Consent (FPIC).
2. Ang nasabing reklamo ay inendorso ng NCIP – MIMAROPA Region sa FPIC Team sa pamamagitan ng Memorandum Order No. 203-2023 na may petsang 20 Hunyo 2023 at inilabas noong 22 Hunyo 2023.
3. Ang proseso ng FPIC na may kaugnayan sa Mineral Production Sharing Agreement (MPSA) ng Celestial/Ipilan ay sinuspinde habang nakabinbin ang imbestigasyon sa mga isyung nakapailalim sa reklamong ito ayon sa Memorandum Order No. 206-2023.
4. Gayunpaman, ipinagpaliban ang suspensyon sa pagproseso ng FPIC habang nakabinbin ang pagresolba ng mga reklamo ayon

**“MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE.”**

sa Memorandum Order No. 208-2023 na may petsang 27 Hunyo 2023.

Binigyan ng NCIP – MIMAROPA Region ang lpilan ng sampung (10) araw para tumugon sa mga isyu sa Liham nito na may petsang 27 Hunyo 2023.

Para sa karagdagang impormasyon, maari kayong direktang makipagugnayan sa NCIP – MIMAROPA Region.

Maraming salamat po.

Lubos na gumagalang,


GLENN MARCELO C. NOBLE
Regional Director

Encl's: As stated.

cc:

The Secretary

Office of the Secretary
Department of Environment and Natural Resources Office
Visayas Avenue, Diliman, Quezon City

The DENR Action Center/Hotline

Department of Environment and Natural Resources Office
Visayas Avenue, Diliman, Quezon City

The Regional Executive Director

Department of Environment and Natural Resources
MIMAROPA Region

The PENRO

Provincial Environment and Natural Resources Office
Palawan

The CENRO

Community Environment and Natural Resources Office
Brooke's Point, Palawan

071123-R04B-1754



Enter

7/11/2023



MINES AND GEOSCIENCE BUREAU
MIMAROPA Region

Lalawigan ng Palawan
Bayan ng Brooke's Point
Katutubong Pamayanang Pala'wan ng Lupaing Ninuno ng BICAMM

14 Hunyo 2023

KGG. ALLEN A. CAPUYAN

Tagapangulo

National Commission on Indigenous Peoples

Thru : **DR. MARIE GRACE T. PASCUA**
Regional Director, NCIP MIMAROPA

Mahal na Chairperson Capuyan,

Kami po ay sumusulat sa inyong tanggapan bilang kinatawan ng katutubong pamayanang Pala'wan ng lupaing ninuno ng Brgy. Barongbarong, Ipilan, Calasaguen, Aribungos, Mambalot, at Maasin (BICAMM) upang ipagbigay-alam ang mga ginagawang aktibidad ng Ipilan Nickel Corporation (INC) sa loob ng aming lupaing ninuno na labag sa guidelines patungkol sa pagkuha ng free and prior informed consent.

Mula noong isinumite namin ang resolusyon ng mga pinuno at awtorisadong kinatawan ng aming katutubong pamayanan na pinapasawalang-bisa ang iligal na memorandum of agreement sa pagitan ng BICAMM at ng Ipilan Nickel Corporation, sunod-sunod nang mga ilegal na aktibidad ang ginagawa ng INC upang guluhin ang pagkakaisa ng aming pamayanang katutubo at lituhin ang aming mga kasapi. Ito ay ang mga sumusunod:

1. Noong Hunyo 8, 2023, ipinatawag ni Mr. Alex Arabis, Resident Mine Manager ng INC ang lima sa aming mga lider na sina Tannang Usop Cabrido, Jun Jupin, Matilde Baterna, Eljun Mablen, at Arnel Abela, sa isang pagpupulong kung saan inalok sila ng Php 3,000.00 na buwanang allowance kapalit ng pagsuporta sa operasyon ng INC at sila na lang ang kikilalanin ng kompanya bilang mga lider ng aming pamayanan.
2. Noong Hunyo 13, 2023, ipinatawag ng INC ang lahat ng mga katutubong trabahante at pinapirma ng resolusyon na sinasabing hindi sila pumapayag sa kanselasyon ng MOA.
3. Noong Hunyo 14, 2023, umikot sa aming lupaing ninuno si Elmer Jardin, bahagi ng opisina para sa Community Relations ng INC, upang magpapirma sa mga katutubo ng resolusyon na hindi sila sumusuporta sa kanselasyon ng MOA kapalit ng Php 300.00 kada pirma.

Naninindigan ang aming katutubong pamayanan sa pagpapasawalang-bisa sa Memorandum of Agreement na nilagdaan noong 2022. Nagbigay na kami ng kopya ng resolusyong ito sa tanggapan ng NCIP sa Brooke's Point at nagpadala na din ng kopya sa Central Office noong Hunyo 1, 2023.

Napag-alaman din namin na mayroong memorandum si Dir. Wilfredo Moncano ng Mines and Geosciences Bureau na may petsang Enero 7, 2022 na kinakailangang isumite ng Celestial at Ipilan ang mga rekisitong dokumento mula sa NCIP patungkol sa Section 59 ng Indigenous Peoples Rights Act.

Inilina muli ito ni Dir. Moncayo sa memorandum na may petsang Pebrero 17, 2022 na bilang kapalit ng pansamantalang pag-aproba sa work program ng Celestial at INC ay kinakailangan nitong makipag-ugnayan sa NCIP para sa pag-escrow ng royalty na para sa katutubong pamayanan hanggat wala pang Certification Precondition na ibinibigay ang NCIP. Sa memorandum na iyon, binigyan din ng MGB ang Ipilan at Celestial ng isang taon upang maisumite ang lahat ng mga kahingian mula sa katutubong pamayanan at sa NCIP.

Sa ganitong tanaw, ipinapaabot namin sa kagalang-galang na Commission-en-Banc at kay Chairperson Allen Capuyan ang mga sumusunod na kahilingan:

1. Agarang suspendihin ang proseso ng FPIC ng Ipilan Nickel Corporation at/o Celestial Nickel Exploration Corporation at pagbubuo ng panibagong FPIC team kung magvavalidate ng mga resolusyong isinumite ng aming katutubong pamayanan;
2. Ideklarang void ab initio ang kontrata sa pagitan ng lupaing ninuno ng BICAMM at Ipilan Nickel Corporation na nilagdaan noong 2022 at agarang makipag-ugnayan sa DENR at MGB patungkol sa kanselasyon ng MOA sa pagitan ng Celestial Nickel Mining Exploration Corporation at ng mga katutubong pamayanan ng Ipilan, Mambalot, Maasin, at Calasaguen na nilagdaan noong 2008;
3. Imbestigahan ang mga paglabag ng Celestial at Ipilan sa proseso ng FPIC alinsunod sa NCIP Administrative Order No. 3, S. 2012, sa Indigenous Peoples Rights Act of 1997, pati sa Philippine Mining Act of 1995, at habang ginagawa ang imbestigasyon ay mag-issue ng Cease and Desist Order sa Ipilan Nickel Corporation; at
4. Tulungan ang aming katutubong pamayanan na maghain ng kaso sa mga regular na korte upang mapanagot ang mga nagsabwatan upang lokohin ang aming katutubong pamayanan.

Umaasa kami na matutulungan kami ng NCIP bilang institusyon na nangangalaga sa karapatan ng mga katutubo. Nananatili kaming tapat sa layunin at direksyon ng Indigenous Peoples Rights Act sa aming pagpursige sa pagkamit ng aming mga karapatan.

Lubos na gumagalang:


JULHAD TITTE
Pangulo, BICAMM IPDO


RENILA DULAY
Pangalawang Pangulo, BICAMM IPDO

Bigyang kopya:

NCIP Comm. Jeorge Largado
NCIP Brooke's Point Service Center
Mines and Geosciences Bureau
Office of the President
Department of Environment and Natural Resources
Palawan Council for Sustainable Development
Lokal na Pamahalaan ng Brooke's Point

Lalawigan ng Palawan
Bayan ng Brooke's Point
Katutubong Pamayanang Pala'wan ng Lupaing Ninuno ng BICAMM

18 Hunyo 2023

KGG. ALLEN A. CAPUYAN

Tagapangulo

National Commission on Indigenous Peoples

Thru : **DR. MARIE GRACE T. PASCUA**
Regional Director, NCIP MIMAROPA

Mahal na Chairperson Capuyan,

Kami po ay muling sumusulat sa inyong tanggapan bilang kinatawan ng katutubong pamayanang Pala'wan ng lupaing ninuno ng Brgy. Barongbarong, Ipilan, Calasaguen, Aribungos, Mambalot, at Maasin (BICAMM) upang ulitin ang pagpapaabot ng mga hinaing ng aming katutubong pamayanan patungkol sa mga ilegal na aktibidad na isinasagaw ng Ipilan Nickel Corporation sa loob ng aming lupaing ninuno.

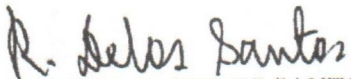
Kalakip ng liham na ito ang mga naipon na salaysay ng mga miyembro ng aming katutubong pamayanan patungkol sa ginagawang pag-iikot ng mga tauhan ng Ipilan Nickel Corporation at pagpapapirma ng mga resolusyon kapalit ng tatlong-daang piso (PHP 300.00). Tinanggal muna namin ang pangalan ng mga nagsalaysay para sa kanilang seguridad.

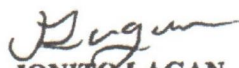
Sa ganitong tanaw, ipinapaabot naming muli sa kagalang-galang na Commission-en-Banc at kay Chairperson Allen Capuyan ang aming mga kagyat na kahilingan:

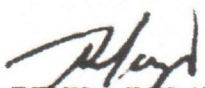
1. Agarang suspendihin ang proseso ng FPIC ng Ipilan Nickel Corporation at/o Celestial Nickel Exploration Corporation at pagbubuo ng panibagong FPIC team kung magvavalidate ng mga resolusyong isinumite ng aming katutubong pamayanan;
2. Ideklarang void ab initio ang kontrata sa pagitan ng lupaing ninuno ng BICAMM at Ipilan Nickel Corporation na nilagdaan noong 2022 at agarang makipag-ugnayan sa DENR at MGB patungkol sa kanselasyon ng MOA sa pagitan ng Celestial Nickel Mining Exploration Corporation at ng mga katutubong pamayanan ng Ipilan, Mambalot, Maasin, at Calasaguen na nilagdaan noong 2008;
3. Imbestigahan ang mga paglabag ng Celestial at Ipilan sa proseso ng FPIC alinsunod sa NCIP Administrative Order No. 3, S. 2012, sa Indigenous Peoples Rights Act of 1997, pati sa Philippine Mining Act of 1995, at habang ginagawa ang imbestigasyon ay mag-issue ng Cease and Desist Order sa Ipilan Nickel Corporation; at
4. Tulungan ang aming katutubong pamayanan na maghain ng kaso sa mga regular na korte upang mapanagot ang mga nagsabwatan upang lokohin ang aming katutubong pamayanan.

Umaasa kami na matutulungan kami ng NCIP bilang institusyon na nangangalaga sa karapatan ng mga katutubo. Nananatili kaming tapat sa layunin at direksyon ng Indigenous Peoples Rights Act sa aming pagpupursige sa pagkamit ng aming mga karapatan.
Lubos na gumagalang:


JULHAD TITTE
Brgy. Maasin


ROSEMARIE DELOS SANTOS
Brgy. Calasaguen


JONITO LAGAN
Brgy. Mambalot


RENILA DULAY
Brgy. Aribungos


JULHAKIM GODOY
Brgy. Ipilan


AJER ASANDY
Brgy. Barongbarong

Bigyang kopya:

NCIP Comm. George Largado
NCIP Office of the Executive Director
NCIP Ancestral Domains Office
NCIP Legal Affairs Office
NCIP Palawan Provincial Office
NCIP Brooke's Point Service Center
Mines and Geosciences Bureau
Office of the President
Department of Environment and Natural Resources
Palawan Council for Sustainable Development
Lokal na Pamahalaan ng Brooke's Point



Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
MIMAROPA Regional Office
3rd Floor, Argo Bldg., Edsa Corner P. Tuazon, Cubao, Quezon City
Email Address: region4b@ncip.gov.ph

NOT MIMAROPA

RECEIVED
JUN 22 2023

MEMORANDUM ORDER NO. 203-2023
Series of 2023

BY: _____

TO : **THE FPIC TEAM**
Per Work Order no. 05-2022-013 series of 2022

ATTY. JANSEN I. JONTILA	- Team Leader
MR. RICARDO O. SANGA	- Member
ENGR. MARK GREGGY Q. MECLON	- Member
MS. AUREA V. ABADILLA	- Member
MR. DIAHALO D. DULDULA	- Member

FROM : **THE REGIONAL DIRECTOR**

SUBJECT : **ENDORSEMENT OF COMPLAINT ON THE FPIC APPLICATION
OF CELESTIAL NICKEL MINING EXPLORATION
CORPORATION/IPILAN NICKEL CORPORATION (CNMEC/INC)
IN BROOKE'S POINT, PALAWAN**

DATE : **June 20, 2023**

This has reference to the received complaints from the Pala'wan ICCs/IPs of Brgys Barong-barong, Ipilan, Calasaguen, Aribungos, Mambalot and Maasin all in the Municipality of Brooke's Point, Palawan regarding their request for suspension of the FPIC process on the application of the CNMEC/INC for their renewal of their MPSA with MPSA No. 017-93-IV.

Said complaints are attached, to wit:

1. Resolusyon ng Pamayanang Katutubong Pala'wan ng Lupaing Ninunong BICAMM sa Brooke's Point na binabawi ang binibigay na malaya, nauna, at malinang na pagsang-ayon at ipinasawalang-bisa ang pinirmahang Memorandum of Agreement para sa CNMEC/INC kung walang magiging mabungang negosasyon sa susunod na tatlung araw na batay sa isusumiteng pinal na rekisito ng pamayanang katutubo – dated May 15, 2023;
2. Resolusyon na nagdedeklara ng Pagbawi ng Lagda at Pagpapawalang-bisa sa Memorandum of Agreement na Nilagdaan ng mga Kinatawan ng Pamayanang Katutubong Pala'wan at Ipilan Nickel Corporation/Celestial Nickel Mining Corporation (INC/CNMEC);
3. Letter dated June 13, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua stating the three (3) violations of the Ipilan Nickel Corporation and the four (4) kahilingan of the Pala'wan ICCs of BICAMM, signed by BICAMM IPDO Pangulo Julhadi Titte and Pangalawang Pangulo Renila Dulay;

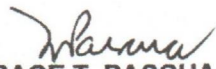
4. Letter dated June 18, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua on the endorsement of salaysay of the members of the Pala'wan ICCs/IPs of BICAMM on the alleged bribery of the INC on paying P 300.00 pesos to sign a resolution, and the re-endorsement of the four (4) requests for the Commission En Banc and Chairperson Allen Capuyan.

As stated in Section 68 of the NCIP AO no 3 series of 2012:

Prior to the endorsement of the FPIC application to the ADO, or issuance by the Regional Director of the CNO, all complaints involving irregularities in the implementation of this Guidelines, including commission of any of the prohibited acts shall be filed with the concerned Regional Director, copy furnished the FBI/FPIC Team leader. Within ten (10) days from receipt of the complaint, the FBI/FPIC Team shall submit its answer thereto. The complaint shall be resolved by the Regional Director within ten (10) days from receipt of the answer or expiration of the period for filing thereof. The resolution shall address the irregularity or in case of commission of prohibited acts, recommend to the Commission to impose appropriate sanctions.

With the abovementioned references, you are hereby directed to submit your response to the said complaint and shall be submitted within ten (10) days upon the receipt of this memorandum.

For strict compliance.


Dr. MARIE GRACE T. PASCUA, CESO III

Cc:

TMSD
Records/File



Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
MIMAROPA Regional Office
3rd Floor, Argo Bldg., Edan Corner P. Tuzon, Cubao, Quezon City
Telephone no. 840-391-88 | Email Address: region4b@ncip.gov.ph

MEMORANDUM ORDER NO. 206-2023
Series of 2023

NCIP-MIMAROPA
RECEIVED
JUN 22 2023

TO : THE FPIC TEAM
Per Work Order no. 05-2022-013 series of 2022

BY:

ATTY. JANSEN I. JONTILA - Team Leader
MR. RICARDO O. SANGA - Member
ENGR. MARK GREGGY Q. MECLON - Member
MS. AUREA V. ABADILLA - Member
MR. DIAHALO D. DULDULA - Member

FROM : THE REGIONAL DIRECTOR

SUBJECT : TEMPORARY SUSPENSION OF THE FREE AND PRIOR
INFORMED CONSENT PROCESS OF IPILAN NICKEL
CORPORATION / CELESTIAL NICKEL MINING
EXPLORATION CORPORATION PENDING THE
INVESTIGATION OF ITS ALLEGED VIOLATIONS OF NCIP
ADMINISTRATIVE ORDER NO. 3, SERIES OF 2012

DATE: 20 JUNE 2023

References

1. Letter dated June 14, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua stating the three (3) violations of the Ipihan Nickel Corporation and the four (4) kahilingan of the Pala'wan ICCs of BICAMM, signed by BICAMM IPDO Pangulo Julhadi Titte and Pangalawang Pangulo Renila Dulay;
2. Letter dated June 18, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua on the endorsement of salaysay of the members of the Pala'wan ICCs/IPs of BICAMM on the alleged bribery of the INC on paying P 300.00 pesos to sign a resolution, and the re-endorsement of the four (4) requests for the Commission En Banc and Chairperson Allen Capuyan;

In response to the above complaints raised by the Pala'wan Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) of the BICAMM (Barongbarong, Ipihan, Calasaguen, Aribungos, Mambalot, Maasin) Ancestral Domain of Brooke's Point, Palawan, the free and prior informed consent process of Ipihan Nickel Corporation and Celestial Nickel Mining Exploration Corporation (INC/CNMEC) relative to its mineral production sharing agreement is hereby **SUSPENDED AND DEFERRED** pending the investigation of the issues subject of this complaint in accordance to Sections 66 of AO 3, series of 2012 or the Revised Guidelines on FPIC and related processes of 2012.

This deferment is done to prevent irreparable injury to the Pala'wan ICCs/IPs pursuant to the alleged violations and prohibited acts under Section 65.

Moreover, Memorandum Order No. 203-2023 series of 2023 dated June 20, 2023 is issued to the FPIC team transmitting complaints of the BICAMM Pala'wan ICCs/IPs to the FPIC team for their reference to respond within period provided based on Section 68 of the AO 3 series of 2012.

A validation team was likewise constituted for this purpose and directed to communicate with the appellant party to verify the documents submitted relative to the allegations sought to be addressed and submit to this office a report within ten (10) working days the result of the validation activity.

For your reference and appropriate action.



DR. MARIE GRACE T. PASCUA, CESO III

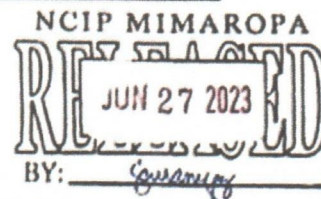
Cc:
Ancestral Domains Office
Legal Affairs Office
DENR-MGB MIMAROPA
BICAMM Pala'wan ICCs/IPs
Ipilan Nickel Mining Corporation
Celestial Nickel Mining Exploration Corporation
TMSD
File/Records



Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
MIMAROPA Regional Office

3rd Floor, Argo Bldg., Edsa Corner P. Tuazon, Cubao, Quezon City
Telephone no. 840-391-98 | Email Address: region4b@ncip.gov.ph

MEMORANDUM ORDER NO. 208-2023
Series of 2023



TO : THE FPIC TEAM
Per Work Order no. 05-2022-013 series of 2022

ATTY. JANSEN I. JONTILA	- Team Leader
MR. RICARDO O. SANGA	- Member
ENGR. MARK GREGGY Q. MECLON	- Member
MS. AUREA V. ABADILLA	- Member
MR. DIAHALO D. DULDULA	- Member

FROM : THE REGIONAL DIRECTOR

SUBJECT : LIFTING OF THE TEMPORARY SUSPENSION OF THE FREE
AND PRIOR INFORMED CONSENT PROCESS OF IPILAN
NICKEL CORPORATION / CELESTIAL NICKEL MINING
EXPLORATION CORPORATION PENDING THE
INVESTIGATION OF ITS ALLEGED VIOLATIONS OF NCIP
ADMINISTRATIVE ORDER NO. 3, SERIES OF 2012

DATE: 27 JUNE 2023

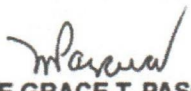
References as attached:

1. Memorandum Order no. 203-2023 series of 2023: Temporary Suspension of the Free and Prior Informed Consent Process of Ipilan Nickel Corporation / Celestial Nickel Mining Exploration Corporation Pending the Investigation of its Alleged Violations of NCIP Administrative Order No. 3, Series Of 2012;
2. Letter to Atty Dante R. Bravo, President, Ipilan Nickel Corporation dated June 27, 2023 re Endorsement of the complaints of the ICCs/IPs of Brgys. Barong-Barong, Ipilan, Calasaguen, Aribungos, Maasin and Mambalot (BICAMM) all in the Municipality of Brooke's Point, Palawan against the Ipilan Nickel Corporation/ Celestial Nickel Mining Exploration Corporation (INC/CNMEC).

The above references are issued based on Section 68 of the NCIP Administrative Order No 3, series of 2012.

In this regard, the previously issued temporary suspension of the FPIC process of the Ipilan Nickel Mining Corporation thru Memorandum Order no 203-2023 series of 2023 issued June 22, 2023, is hereby held in abeyance pending the resolution of complaints through the investigation and evaluation of complaints including the comments from the FPIC team and the Ipilan Nickel Corporation/Celestial Nickel Mining Exploration Corporation.

For information and guidance.


DR. MARIE GRACE T. PASCUA, CESO III

Cc:
Ancestral Domains Office
Legal Affairs Office
DENR-MGB MIMAROPA
BICAMM Palawan ICCs/IPs
Ipilan Nickel Mining Corporation
Celestial Nickel Mining Exploration Corporation
TMSD
File/Records



Republic of the Philippines
Office of the President
NATIONAL COMMISSION ON INDIGENOUS PEOPLES
MIMAROPA Regional Office
3rd Floor, Argo Bldg., Edsa Corner P. Tuazon, Cubao, Quezon City
Email Address: region4b@ncip.gov.ph

June 27, 2023

ATTY. DANTE R. BRAVO

President

Ipilan Nickel Corporation

Penthouse, Platinum Tower,

Asean Ave. cor. Fuentes St., Aseana City,

Parañaque City



Dear **ATTY. BRAVO**:

This has reference to the complaints of the Pala'wan ICCs/IPs of Brgys Barong-barong, Ipilan, Calasaguen, Aribungos, Mambalot and Maasin all in the Municipality of Brooke's Point, Palawan received by this office regarding the CP application for the renewal of the CNMEC/INC Mineral Production Sharing Agreement (MPSA) with MPSA No. 017-93-IV as Amended-2000.

Said complaints are attached, to wit:

1. Resolusyon na nagdedeklara ng Pagbawi ng Lagda at Pagpapawalang-bisa sa Memorandum of Agreement na Nilagdaan ng mga Kinatawan ng Pamayanang Katutubong Pala'wan at Ipilan Nickel Corporation/Celestial Nickel Mining Corporation (INC/CNMEC);
2. Letter dated June 14, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua stating the three (3) violations of the Ipilan Nickel Corporation and the four (4) kahilingan of the Pala'wan ICCs of BICAMM, signed by BICAMM IPDO Pangulo Julhadi Titte and Pangalawang Pangulo Renila Dulay;
3. Letter dated June 18, 2023 addressed to Chairperson Allen A. Capuyan thru NCIP MIMAROPA Regional Director Marie Grace T. Pascua on the endorsement of salaysay of the members of the Pala'wan ICCs/IPs of BICAMM on the alleged bribery of the INC on paying P 300.00 pesos to sign a resolution, and the re-endorsement of the four (4) requests for the Commission En Banc and Chairperson Allen Capuyan.

As stated in Section 68 of the NCIP AO no 3 series of 2012:

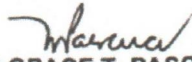
Prior to the endorsement of the FPIC application to the Ancestral Domains Office (ADO), or issuance by the Regional Director of the NO, all complaints involving irregularities in the implementation of this Guidelines, including commission of any of the prohibited acts shall be filed with the concerned Regional Director, copy furnished the FBI/FPIC Team leader. Within ten (10) days from receipt of the complaint, the FBI/FPIC Team shall submit its answer thereto. The complaint shall be resolved by the Regional Director within ten (10) days from receipt of the answer or expiration of the period for filing thereof. The resolution shall address the irregularity or in case of commission of prohibited acts, recommend to the Commission to impose appropriate sanctions.

With reference to the aforementioned section, we have endorsed the said complaints to the FPIC team thru Memorandum Order no. 203-2023 series of 2023 for their response.

With this, in order to provide an avenue for clarification and explanation from your end, we are requesting for your comments on the said complaints. And as such, we are also giving you ten (10) working days to respond on the said issues for the evaluation of this office as basis for appropriate actions to be done.

For your information and reference.

Very truly yours,


Dr. MARIE GRACE T. PASCUA, CESO III
Regional Director

Cc:

Ancestral Domains Office
Legal Affairs Office
DENR-MGB MIMAROPA
BICAMM Pala'wan ICCs/IPs
FPIC Team
TMSD
File/Records