



Protect VIP

GERRY ARANCES

PROTECT VIP

% Center for Energy, Ecology, and Development

132 Matahimik Street, Barangay UP Village

Diliman, Quezon City 1101

07 March 2023

HON. LORMELYN CLAUDIO, CESO IV

Regional Executive Director

Department of Environment and Natural Resources - MIMAROPA

3rd flr., 1515 DENR by the Bay Bldg., Brgy. 668, Roxas Blvd.

Ermita, Manila

Re: Urgent updates on Department of Energy and Natural Resources - MIMAROPA's actions to contain the oil spill caused by MT Princess Empress and the extent of its investigation with the same

Dear Executive Director Lormelyn Claudio:

Greetings from Protect VIP, a coalition of residents, fisherfolk, youth, civil society, and people's organizations, faith-based and labor groups, and supporting groups convened with the common interest of protecting the Verde Island Passage (VIP).

On 28 February 2023, oil tanker MT Princess Empress, owned by RDC Reield Marine Services Inc., capsized off the coast of Naujan, Oriental Mindoro. The oil tanker carries 800,000 liters of industrial oil en route to Iloilo from Bataan. On 01 March 2023, the oil tanker fully sank. The Philippine Coast Guard (PCG) together with the Department of Environment and Natural Resources (DENR) confirmed that in addition to a diesel oil spill spanning 6km long and 4km wide, the presence of a much thicker and darker oil spill at about 7.4 nautical miles southwest off Balingawan Point, Naujan, Oriental Mindoro was spotted.¹

On 06 March 2023, based on the monitoring report of the Provincial Disaster Risk Reduction and Management Office (PDRRMO) of Oriental Mindoro, nine (9) of the thirteen (13) towns of the province have been affected by the oil spill, specifically Naujan, Pola, Pinamalayan, Gloria, Basud, Bongabong, Roxas, Mansalay, and Bulacacao.² As early as 04 March 2023, the town of Pola had already declared a state of calamity due to the extent of damage of the oil spill to marine ecosystems

¹ Philippine News Agency, "Oil spill recovery begins after tanker sinks off Oriental Mindoro" accessed at <https://www.pna.gov.ph/articles/1196390>.

² Philippine Star, "9 Mindoro towns affected by oil spill", accessed at <https://www.philstar.com/nation/2023/03/06/2249553/9-mindoro-towns-affected-oil-spill>.



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and local fishermen whose livelihoods are affected by the spillage.³ On even date, the spillage has reached the shores of Caluya, Antique which affects some 600 residents. On Oriental Mindoro alone, the spillage has affected the livelihood of over 10,000 fisherfolks in the towns of Pinamalayan, Gloria, Bansud, Bongabong, Roxas, and Mansalay.⁴

Aside from the affected livelihoods, the oil spill also continues to threaten 21 marine protected areas in the country. One of those is the rich marine biodiversity of the Verde Island Passage (VIP), the center of the center of marine biodiversity in the world. Nestled at the heart of Southeast Asia's Coral Triangle, VIP houses over 300 coral species and about 1,736 shorefish⁵ species all within a 10-kilometer area - making it the most biodiverse marine habitat in the world. VIP is identified as a high priority conservation area for corals, reef fishes, mollusks, mangroves, seagrasses, and cetaceans.⁶ The VIP links Mindoro to Batangas on the Luzon mainland, it covers the village of Anilao in Mabini, Batangas, Puerto Galera, Oriental Mindoro, and Verde Island itself.

Moreover, according to UP Marine Science Institute, 36,000 hectares of mangroves, coral reefs, and seagrasses face impending destruction should the sunken ship be not removed from the waters. Oil spill causes fish kill, decay of marine ecosystems such as mangroves and corals, and poisoning of sea birds. Incidentally, the oil spill will bring a shortage of food, loss of livelihoods, and health complications due to the contamination.

In light of the urgency of this unfortunate event, we therefore respectfully request the Your Honorable Office to update us on its recent actions in containing the oil spill and the extent of its investigation with the same in line with your Honorable Office's mandate under Executive Order 192 to be responsible for the conservation, management, development, and proper use of the country's environment and natural resources Specifically, we would like to request for the following information:

1. What containment and removal measures of the oil spill have been done?
2. What has been discovered in the investigations so far, specifically the owner of the industrial oil being shipped by the tanker and the cause for the tanker to capsized and sink?

³ Philippine Daily Inquirer, "Oil spill puts Mindoro town under calamity state", accessed at <https://newsinfo.inquirer.net/1738139/oil-spill-puts-oriental-mindoro-town-under-calamity-state>.

⁴ CNN Philippines, "Oil spill in Oriental Mindoro spreads to Antique", accessed at <https://www.cnnphilippines.com/news/2023/3/4/Oil-spill-in-Oriental-Mindoro-spreads-to-Antique.html>.

⁵ Carpenter, et al. (2005), *The Center of the Center of Marine Shore Fish Biodiversity: the Philippine Islands*, Environmental Biology of Fishes (2005): 72: 467-480.

⁶ Ong PS, Afuang LE, Rosell-Ambal RE (eds.). 2002. Philippine Biodiversity Conservation Priorities: A Second Iteration of the National Biodiversity Strategy and Action Plan. Quezon City, Philippines: DENR-PAWB, CI Philippines, BCP-UPCID, and FPE.



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3. It was reported that the industrial oil was not in a sealed container.⁷ Is this a violation of any laws or regulations?
4. Is the MT Princess Empress a single hull or a double hull ship as it is mandated that oil tankers should be double hull in order to avoid oil spillage?⁸
5. Have there been any findings of negligence?

You may reach us through our legal researcher, Ms. Jesha Goli-Cruz, through her email address: jggolicruz.ccedph@gmail.com or her mobile number 0905 253 2609.

This request is based on the policy of the State for full disclosure of all its transactions involving public interest under Article II, Section 28 of the 1987 Constitution;⁹ and the people's right to information on matters of public concern under Article III, Section 7 of the 1987 Constitution.¹⁰ In line with the Anti-Red Tape Act as amended by the Ease of Doing Business and Efficient Government Service Act of 2018, we will respectfully wait for your favorable action within seven (7) days from receipt of this letter.¹¹

We hope for your kind consideration and that you will prioritize this matter given its urgency.

Very Truly Yours,



Gerry Arances

On behalf of Protect VIP

⁷ The Manila Times, "PH Coast Guard deployed to contain Mindoro oil spill", accessed at <https://www.manilatimes.net/2023/03/04/news/regions/ph-coast-guard-deployed-to-contain-mindoro-oil-spill/1881159>.

⁸ Marina Memorandum Circular No. 2007-01.

⁹ Philippine Constitution, Article II, Section 28.

¹⁰ Philippine Constitution, Article III, Section 7.

¹¹ *Id.* at Section 9.