



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

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11 May 2023

MEMORANDUM

FOR : **THE DIRECTOR**
Strategic Communication and Initiatives Service
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

FROM : **THE REGIONAL DIRECTOR**
This Office

SUBJECT : **REQUEST FOR RESPONSES TO INTERVIEW QUESTIONS OF GMA**
"STAND FOR TRUTH" RE: BROOKE'S POINT

Respectfully submitting the attached factsheet on Celestial Nickel Mining Exploration Corporation (MPSA No. 017-93-IV-as Amended 2000) and the public assembly/rally against the company's operations in Brooke's Point, Palawan.

For the Director's information and ready reference.


GLENN MARCELO C. NOBLE

cf: **The Regional Director**
Department of Environment and Natural Resources
MIMAROPA Region

051223-R04B-1243



Memorandum

5-12-2023



MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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

FACTSHEET

CELESTIAL NICKEL MINING EXPLORATION CORP. MPSA NO. 017-93-IV-as Amended 2000

General Information	
Mining Tenement	Mineral Production Sharing Agreement (MPSA)
Tenement No.	MPSA No. 017-93-IV as Amended-2000
MPSA Contractor	Celestial Nickel Mining Exploration Corporation
Operator	Ipilan Nickel Corporation (Ipilan) <i>Operating Agreement approved on April 20, 2015</i>
Status	Started commercial operations in May 2022
Date Granted/Registered	September 18, 1993/December 8, 1993
Date Amended	April 10, 2000
Date Registered	May 23, 2000
Date of Expiration	April 10, 2025
<p><i>*Note: MPSA No. 017-93-IV was approved by the President on September 18, 1993. To conform with the provisions of Republic Act No. 7942, which came into law on March 03, 1995, the said MPSA was amended on April 10, 2010 and redenominated as MPSA No. 017-93-IV as Amended-2000. On January 05, 2021, the DENR issued an Order clarifying the effective date of MPSA No. 017-93-IV as Amended-2000 which shall be reckoned from the date of its execution and shall expire on April 10, 2025.</i></p>	
Contract Area	2,917.2743 hectares <i>pursuant to the December 13, 2016 approved Survey Plan</i>
Location	Brgys. Ipilan, Mambalot, Brooke's Point, Palawan
Mineral Commodity	Nickel ore and other associated mineral deposits
Contact Person	Atty. Dante R. Bravo President
Address	Operator: Ipilan Nickel Corporation Penthouse, Platinum Tower Aseana Ave. cor Fuentes St., Aseana, Paranaque City
Social Development and Management Program (SDMP)	
Approved 5-Yr. SDMP covering CY 2022-2026	COA: SDMP# 002-2022-MIMAROPA (1st) Date Approved: 17 February 2022 Projected allotment: PhP136,294,600.00
Approved 2023 Annual SDMP	COA: ASDMP# 2023-05-MGBMIMAROPA (2nd) Date Approved: 20 January 2023 Allotment: PhP20,883,040.87
Environmental Protection and Rehabilitation	
Environmental Protection and Enhancement Program	COA No. 195-2021-20 Date Approved: 25 November 2021 Projected allotment: PhP563,126,000.00 for the 10-year period
Approved 2023 Annual EPEP	COA: AEPEP No. 2023 - 07 - MIMAROPA Date Approved: 12 January 2023 Allotment: PhP96,263,032.72
Final Mine Rehabilitation/Decommissioning Plan	Commitment: PhP157,968,944.00

FACTSHEET

Public assembly/rally against the operations of Ipilan Nickel Corporation

February 18, 2023	<p>Per information from the February 20, 2023 report from CENRO Brooke's Point to PENRO Palawan, the public assembly/rally commenced along the National Highway of Purok 5, Brgy. Maasin, Brooke's Point, Palawan, in front of Ipilan Nickel Corporation's (INC) office and hauling road, protesting the company's continuous operation despite not having a business permit for CY 2023 issued by the Local Government Unit of Brooke's Point, Palawan.</p> <p>The protest rally is set to end on February 21, 2023 per the permit issued by Brooke's Point Mayor Cesareo R. Benedito Jr. to the group through their spokesperson Pastor Job Z. Lagrada.</p> <p>Protesters were residents from the different barangays in Brooke's Point composed of different community sectors (e.g. youth, women, and others).</p>
February 19, 2023	Through a letter, INC requested the Mines and Geosciences Bureau (MGB) MIMAROPA Region to intervene to stop the "disruptive actions of Pastor Job Z. Lagrada and his group" at INC's mine site. The said group "erected structures and shed across" its main gate and haul road, obstructing the operations of INC.
February 20, 2023	The MGB MIMAROPA Region sent a letter request to the Department of Interior and Local Government (DILG) MIMAROPA Region, requesting assistance to be extended to INC and permit it to do its regular business and protect the workers from harassment from the protesters.
February 21, 2023	Per information from the spot report of CENRO Brooke's Point, the public assembly/protest rally against the mining operation of INC was extended until February 28, 2023 from Maasin Crossing (provincial road going to Sitio Panay) down to the approach of Tagdidili Bridge, Purok 5, Brgy. Maasin, Brooke's Point, Palawan.
February 22, 2023	The Mayor of Brooke's Point, in a letter to the DENR, conveyed the demand of the LGU and the citizens of Brooke's Point for the urgent cancellation of the Mineral Production Sharing Agreement and Environmental Compliance Certificate of INC, and the issuance of the cease and desist order while the said request is pending.
February 27, 2023	Through Memorandum Order No. 2023-065 from the Office of the Municipal Mayor, the permit for the public assembly/protest rally against the mining operation of INC was extended until March 7, 2023, from within the road-right-of-way of highway from Maasin Crossing (provincial road going to New Panay) down to the newly established road at Purok 5, Brgy. Maasin.
March 06, 2023	Through Memorandum Order No. 2023-072, Mayor Benedito granted the request to extend the permit for the public

	assembly/protest rally against the mining operation of INC until March 14, 2023.
March 10, 2023	<p>Brooke's Point Regional Trial Court (RTC) Branch 165 issued a 20-day temporary restraining order (TRO), with prayer for Ex-parte 72-hour TRO (with extension) and/or Writ of Preliminary Mandatory and Prohibitory Injunction, filed by INC against Pastor Lagrada, Dominador Magdaluyo, Marcelo Pulmones, and/or all other persons claiming rights under them and occupying the property of INC.</p> <p>The said TRO is issued to prevent the anti-mining rallyists from "stopping, apprehending, searching, obstructing or even approaching in and all the vehicles of individuals making use of access roads, including the main whole roads, the barangay roads parallel to main whole road and access road in Sitio Panay going to INC or mine camp and to make their way to the mine pit and vice versa."</p> <p>The initial hearing for the application for preliminary prohibitory and mandatory injunction was set on March 17, 2023.</p>
March 13, 2023	<p>According to the CENRO Brooke's Point report to PENRO Palawan, Sheriff IV Clodualdo V. Levita from the Office of the Executive Judge, RTC Branch 165, sent a Notice/Communication addressed to PMAJ Raffy C. Esperida, Chief of Police of the PNP Municipal Police Station in Brooke's Point, requesting for the presence of sufficient PNP Personnel on March 13, 2023 at 1:00 pm, the day that Sheriff Levita will personally serve the copies of the TRO for the concerned defendants.</p> <p>Through a letter addressed to the MGB Central Office, copy furnished the MGB MIMAROPA Region, INC sought assistance for the implementation of the TRO against the protesters obstructing the Palawan mine project.</p> <p>According to INC, the court sheriff served the order upon the protesters who refused to honor the TRO.</p>
March 27, 2023	Extension of the permit to conduct public assembly/rally until April 04, 2023 issued by the Office of the Mayor.
March 28, 2023	<p>Through a resolution, Brooke's Point RTC Branch 165 granted the INC's prayer for the issuance of a Writ of Preliminary Mandatory and Prohibitory Injunction against Pastor Lagrada, Magdaluyo, Pulmones, Bernie Jontilano, and or all other persons claiming rights under them and occupying the property of the mining firm.</p> <p>In a letter addressed to the DENR Secretary, a group of Palaw'an Panlima/Tribal leaders expressed concerns that the delayed issuance of a new Business/Mayor's Permit to INC may hinder the implementation of projects under their Free, Prior and Informed Consent - Memorandum of Agreement with the company. They are also concerned that this might lead to possible job losses and discontinuation of programs such as</p>

	livelihood, financial, hospital, and educational assistance especially to IP beneficiaries.
March 30, 2023	Through a letter, INC sought legal intervention to the MGB MIMAROPA Region in relation to the Court's injunction order against barricaders blocking off their mining haul road.
April 3, 2023	The MGB MIMAROPA Region sent a letter request to the DILG MIMAROPA Region requesting for appropriate assistance to INC, its workers, and the community, in relation to the March 28, 2023 Resolution and Writ of Preliminary Prohibitory and Mandatory Injunction issued by the Brooke's Point RTC.
April 11, 2023	Pertaining to the letter from INC, the DILG MIMAROPA Region sent a letter to Mayor Benedito urging the Office of the Mayor to "maintain peace and order, ensure that the rule of law prevails in all instances in view of the situation currently confronting the Municipality in relation to the issue on mining."
April 19, 2023	<p>In separate letters addressed to the DENR MIMAROPA Region and the MGB MIMAROPA Region, INC provided an update on the "illegal entry, obstruction, and violence employed by anti-mining protesters" against the company on April 14, 2023. This is after the implementation of the Writ of Preliminary Prohibitory and Mandatory Injunction which was issued by Brooke's Point RTC Branch 165 on the same date.</p> <p>According to INC, the protesters obstructed the company haul road and assaulted the guards using makeshift pepper sprays. The company added that the protesters threw rocks at the guards which resulted in injuries to different parts of their bodies.</p> <p>INC said that it "filed and is intending to file criminal charges against the persons accountable for the occurrence."</p> <p>The Barongbarong, Ipilan, Calasuagen, Aribungos, Maasin, and Mambalot Incorporated (BICAMM Inc.) of Brooke's Point, Palawan issued a statement condemning some leaders and groups who are allegedly wielding their fellow Indigenous Peoples in advancing self/political interests.</p>