



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) 536-0215 / (+632) 310-1369
Email: region4b@mgb.gov.ph



09 November 2023

MEMORANDUM

FOR : **The Undersecretary for Legal and Administration**
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City

THRU : **The Director**
Mines and Geosciences Bureau
North Avenue, Diliman

FROM : **The Regional Director**
This Office

SUBJECT : **Ipilan Nickel Corporation's statement on the 21 October 2023
Philippine Daily Inquirer Article**

We are respectfully forwarding a copy of the 23 October 2023 letter of Ipilan Nickel Corporation (Ipilan) pertaining to the article against its mining operations within the contract area under MPSA No. 017-93-IVB as Amended 2000 as published by the Philippine Daily Inquirer on 21 October 2023.

Based on the annual monitoring conducted pursuant to MGB MC No. 2018-02, Ipilan has substantially complied with the terms and conditions of its MPSA.

Also, please be informed that Ipilan filed its appeal on 15 September 2023 to the 11 August 2023 Cease-and-Desist Order issued by the National Commission on Indigenous Peoples, hence execution cannot be enforced pursuant to Executive Order No. 392.

For the Undersecretary's information and further instruction, please.

Digitally signed
by Gacad
Felizardo Abubo
Jr

Date: 2023.11.09

FELIZARDO A. GACAD JR.

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11/9/2023
Memorandum



MINES AND GEOSCIENCES BUREAU
MIMAROPA Region

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



Ipilan Nickel Corporation

October 23, 2023

Engr. Felizardo A. Gacad, Jr.

Regional Director for MGB - Mimaropa Region
7th floor, 1515 DENR By the Bay Building
Roxas Boulevard, Brgy. 668, Ermita, Manila

Dear Engr. Gacad:

We refer to the news article published by the Philippine Daily Inquirer on October 21, 2023 entitled, "Mining firm in Palawan faces another stop order."¹ Following your request, please refer to the company's response below:

1. It is imperative that Brooke's Point Vice Mayor Mary Jean Feliciano, a lawyer who previously faced suspension, be reminded that she is not the embodiment of the law, and she and her supporters must refrain from attempting to take the law into their own hands;
2. In response to the Cease and Desist Order (CDO) issued by the National Commission on Indigenous Peoples (NCIP), Ipilan Nickel Corporation (INC) has promptly lodged an appeal, a move that suspends the enforcement of the CDO following established protocols. Therefore, the responsibility now rests on Feliciano's group to exhibit due respect for the law and the prescribed legal procedures;
3. Under the guise of environmentalism, some individuals seek to exploit INC as a platform to advance their personal agendas, potentially including the acquisition of support for the upcoming barangay elections;
4. INC fully complies with the permitting requirements of the Local Government Unit (LGU) as outlined in its Citizen's Charter, which was approved following the applicable law. Recently, INC has paid a substantial local business tax after being authorized by the mayor's office, thereby equipping the LGU to finance its most pressing infrastructure and socio-economic initiatives to benefit the people;
5. It is paramount to note that the Supreme Court is actively deliberating the legitimacy of INC's operations through a Kalikasan Petition filed against the company. Up to this juncture, the request for a restraining order has not been granted, and both the Department of Environment and Natural Resources (DENR) and the Mines and Geosciences Bureau (MGB), represented by the Office of the Solicitor General (OSG), have advocated for the dismissal of the case. Thus, Feliciano's stated intent to obstruct a pivotal national government

¹<https://newsinfo.inquirer.net/1849084/mining-firm-in-palawan-faces-another-stop-order>

development project is a matter of grave concern, as it not only encroaches upon judicial authority but also circumvents the court's ultimate verdict, an action deserving of severe censure; and

6. It is incumbent upon us to remain vigilant and not allow Feliciano's misleading stratagems to deceive once again the pro-progress and law-abiding citizens of Brooke's Point, particularly the thousands of industrious workers, families, and the Indigenous Peoples (IP) community who now enjoy and rely on the positive impact of INC's operations.

Please also find the attached Returns of the Writ separately filed by INC and the OSG (on behalf of the DENR and MGB) in relation to the Writ of Kalikasan case pending before the Supreme Court for your reference.

We hope this clarifies the matter.

Sincerely yours,



Alex C. Arabis

OIC - Resident Mine Manager