



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](mailto:region4b@ncip.gov.ph)

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23 June 2023

**LORMELYN E. CLAUDIO, CESO IV**

Regional Executive Director

Department of Environment and Natural Resources MIMAROPA

Dear RED Claudio:

Greetings!

This letter is to inform your good office that the Tagbanua Calamian indigenous cultural communities and indigenous peoples (ICCS/IPS) of Marcilla, Coron, Palawan have declared their exercise of priority rights (EPR) over Diwaran Island pursuant to the rights provided under Section 57 of Republic Act No. 8371 (IPRA Law).

With the declaration of EPR, this office is conveying the resolution of the aforementioned ICCs/IPs for the cancellation of all dormant tenurial instruments within their ancestral domains without existing property and vested rights under Section 56 of IPRA Law and who are operating without the required free and prior informed consent ("FPIC") from the ICCs/IPs and the subsequent certification precondition from the NCIP.

Attached to this letter is the certification precondition signed by the NCIP Chairperson and the subsequent Commission-en-Banc resolution that recognizes and approves the declaration of EPR.

We are more than willing to coordinate with your office with regards to this matter.

Sincerely,

**DR. MARIE GRACE T. PASCUA, CESO III**

Regional Director, NCIP MIMAROPA





**COMMISSION EN BANC RESOLUTION NO. 2023-09-01-004**  
Series of 2023

**"RESOLUTION ACKNOWLEDGING/RECOGNIZING THE DECLARATION OF THE TAGBANUA CALAMIAN INDIGENOUS CULTURAL COMMUNITIES/ INDIGENOUS PEOPLES (ICCs/IPs) OF THE MUNICIPALITY OF CORON, PROVINCE OF PALAWAN, TO EXERCISE PRIORITY RIGHT IN THE HARVESTING, EXTRACTION, DEVELOPMENT OR EXPLOITATION OF MINERAL RESOURCES WITHIN A TOTAL AREA OF FIFTY-FIVE AND 1/10,000 (55.01) HECTARES LOCATED AT DIWARAN ISLAND, BARANGAY MARCILLA, CORON PALAWAN"**

**WHEREAS**, the Indigenous Peoples Rights Act of 1997 has recognized the priority right of ICCs/IPs in the harvesting, extraction, development, or exploitation of natural resources within their ancestral domains;

**WHEREAS**, NCIP Administrative Order No. 03 series of 2012, otherwise known as The Revised Guidelines on Free and Prior Informed Consent and other Related Processes of 2012, laid down the rules upon which the ICCs/IPs could exercise this right as recognized by law;

**WHEREAS**, the Tagbanua Calamian ICCs/IPs of Barangay Marcilla, Municipality of Coron, Palawan filed their declaration and manifesto expressing their intent to avail of the provision of Section 57, R.A. 8371 which recognizes the priority right of ICCs/IPs in the harvesting, extraction, development or exploitation of natural resources within a total area of fifty-five and 1/10,000 (55.01) hectares of their ancestral domain located in Barangay Marcilla, Municipality of Coron, Province of Palawan;

**WHEREAS**, the validation of the application was conducted by a duly constituted validating team in accordance with The Revised Guidelines on Free and Prior Informed and other Related Processes of 2012 and Section 57 of RA 8371;

**WHEREAS**, the validating team declared that the intent of the Tagbanua Calamian Indigenous Peoples to Exercise their Priority Rights over the development of Diwaran Island and intent to partner with Isla Diwa Ran Corporation in the implementation of their EPR Plan has been validated in accordance with the processes outlined in NCIP Administrative Order No. 3, series of 2012, and recommended that the Exercise of Priority Rights of the Tagbanua Calamian Indigenous Peoples in partnership with Isla Diwa Ran Corporation for the development of Diwaran Island comprising an area of fifty-five and 1/10,000 (55.01) hectares be approved;

**WHEREAS**, on January 12, 2023, the declaration and manifesto, comments and favorable recommendations of the Validating Team, Regional Review Team, favorable endorsement of the Regional Director, and the evaluation report of the Ancestral Domains Office and the Legal Advisory of the Legal Affairs Office were presented to the Commission en Banc for deliberation and consideration;

**WHEREAS**, during the said CEB deliberation, the Isla Diwa Ran Corporation presented before the Commission the project profile of the proposed Development of a Sustainable Eco-Tourism of Diwaran Island;

"RESOLUTION ACKNOWLEDGING/RECOGNIZING THE DECLARATION OF THE TAGBANUA CALAMIAN ICCs/IPs OF THE MUNICIPALITY OF CORON, PROVINCE OF PALAWAN, TO EXERCISE PRIORITY RIGHT IN THE HARVESTING, EXTRACTION, DEVELOPMENT OR EXPLOITATION OF MINERAL RESOURCES WITHIN A TOTAL AREA OF FIFTY-FIVE AND 1/10,000 (55.01) HECTARES LOCATED AT DIWARAN ISLAND, BARANGAY MARCILLA, CORON PALAWAN"





**NOW THEREFORE**, on motion duly seconded, be it:

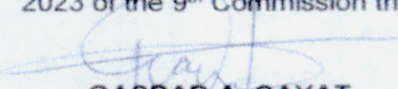
**RESOLVED**, as it is hereby done, to acknowledge/recognize the declaration of the Tagbanua Calamian Indigenous Peoples of Barangay Marcilla, Municipality of Coron, Palawan Province to exercise their priority rights in partnership with Isla Diwa Ran Corporation for the development of Diwaran Island, covering a total area of fifty-five and 1/10,000 (55.01) hectares located in their ancestral domain in Barangay Marcilla, Municipality of Coron, Province of Palawan;

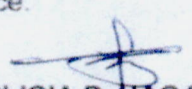
**RESOLVED FURTHER**, that the Commission authorizes the Chairperson to sign, for and in behalf of the Commission, the Certification Precondition for the EPR declaration of the Tagbanua Calamian Indigenous Peoples and the Memorandum of Agreement for the said project;


**RESOLVED FINALLY**, that the Commission directs the Ancestral Domains Office to furnish the original copies of the Certification Precondition and Certified True Copies of the Memorandum of Agreement to the following: a) Tagabanua Calamian Indigenous Peoples b) Regulatory Agency concerned, c) Diwa Ran Corporation; and Certified True Copies to the: a) Office of the Chairman; b) Office of the Ethnographic Commissioner; d) Regional Office R4B and e) Palawan Provincial Office.


All original copies of said documents shall be kept in the custody of the Ancestral Domains Office.

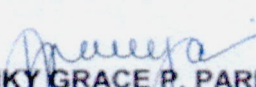
**APPROVED** this 12<sup>th</sup> day of January 2023 in the 1<sup>st</sup> Regular En Banc Session Series of 2023 of the 9<sup>th</sup> Commission thru Zoom Teleconference.

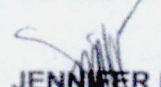
  
**GASPAR A. CAYAT**  
Commissioner for CAR  
and Region I

  
**SIMPLICIA P. HAGADA**  
Commissioner for Region II

  
**ATTY. RHODEX P. VALENCIANO**  
Commissioner for Region III  
and Rest of Luzon

  
**GEORGE M. LARGADO**  
Commissioner for Island Group  
and Rest of the Visayas

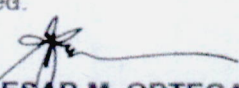
  
**ATTY. PINKY GRACE P. PAREJA**  
Commissioner for Northern  
and Western Mindanao

  
**JENNIFER PIA SIBUG-LAS**  
Commissioner for Central  
Mindanao

  
**ALLEN A. CAPUYAN**  
Chairperson  
Commissioner, Southern & Eastern Mindanao

#### ATTESTATION

I attest that this Resolution was approved by the Commission en banc during its regular session on the date above-stated.

  
**ATTY. CAESAR M. ORTEGA**  
OIC-Executive Director and Head Secretariat

NATIONAL COMMISSION ON INDIGENOUS PEOPLES OFFICE OF THE EXECUTIVE DIRECTOR	
<b>CERTIFIED TRUE COPY</b>	
NAME	ATTY. MON O. EAYONG
POSITION	CHIEF MINDANAO OFFICIAL
DATE	JANUARY 12, 2023

"RESOLUTION ACKNOWLEDGING/RECOGNIZING THE DECLARATION OF THE TAGBANUA CALAMIAN ICC/IPS OF THE MUNICIPALITY OF CORON, PROVINCE OF PALAWAN, TO EXERCISE PRIORITY RIGHT IN THE HARVESTING, EXTRACTION, DEVELOPMENT OR EXPLOITATION OF MINERAL RESOURCES WITHIN A TOTAL AREA OF FIFTY-FIVE AND 1/10,000 (55.01) HECTARES LOCATED AT DIWARAN ISLAND, BARANGAY MARCILLA, CORON PALAWAN"





**Control No. CP-R4B-2023-455**

## **CERTIFICATION PRECONDITION**

### **TO WHOM IT MAY CONCERN:**

**THIS IS TO CERTIFY**, that the Tagbanua Calamian Indigenous Cultural Communities/Indigenous Peoples of Barangay Marcilla, Municipality of Coron, Province of Palawan, has applied for the recognition of their declaration to exercise priority rights for the development of Diwaran Island into a sustainable eco-tourism destination and issuance of a Certification Precondition for said project covering an area of Fifty-five and 1/10,0000 (55.01) hectares, located within their ancestral domain in Barangay Marcilla, Municipality of Coron, Province of Palawan, Philippines.


**THIS IS TO CERTIFY FURTHER**, that after the conduct of validation, the Tagbanua Calamian ICCs/IPs has satisfactorily complied with the procedures and requirements under NCIP Administrative Order No. 03, Series of 2012, thus the Commission has formally acknowledged/recognized the declaration of the Tagbanua Calamian ICCs/IPs to exercise their priority rights for the development of Diwaran Island in partnership with Isla Diwa Ran Corporation.

**THIS IS TO CERTIFY FURTHERMORE**, that after the conduct of the required mandatory processes in accordance with NCIP Administrative Order No. 3, Series of 2012, it is found that Tagbanua Calamian ICCs/IPs and Isla Diwa Ran Corporation, has complied with the procedural and documentary requirements, thus the Certification Precondition for the aforementioned project is approved, subject to the Memorandum of Agreement (MOA) entered into by and among the respective duly authorized representative/s of Isla Diwa Ran Corporation, the Tagbanua ICCs/IPs of Barangay Marcilla, Municipality of Coron, Province of Palawan, and the National Commission on Indigenous Peoples.

**THIS CERTIFICATION** is issued in compliance with Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997 and NCIP Administrative Order No. 03, Series of 2012, otherwise known as The Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes of 2012 and shall be effective for a period of twenty (25) years, renewable subject to compliance with the Free and Prior Informed Consent process in accordance with Section 57 and 59 of RA 8371.

This Office, however, reserves whatever action needed to be undertaken to protect the rights and interest of the Indigenous Cultural Communities/Indigenous Peoples concerned, including the suspension or revocation of this certification, as the case may be, and as may be warranted under the circumstances.

**ISSUED THIS** MAR 23 2023, Quezon City, Philippines.

  
**ALLEN A. CAPUYAN**  
Chairperson

**Cc:**

1. DENR-MGB R-4B
2. Tagbanua Calamian ICCs/IPs of Barangay Marcilla
3. NCIP-Regional Office 4B
4. NCIP-Palawan Provincial Office
5. File