



Republic of the Philippines  
**Department of Environment and Natural Resources**  
MIMAROPA Region  
PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE  
Bgy. Sta. Monica, Puerto Princesa City, Palawan  
Telfax No. (048) 434 - 8791  
Email Add: [penropalawan@denr.gov.ph](mailto:penropalawan@denr.gov.ph)

March 09, 2023

**MEMORANDUM**

**FOR :** The Regional Executive Director  
DENR MIMAROPA Region  
1515 DENR By The Bay Building, Roxas Boulevard,  
Barangay 668, Ermita, Manila

**THRU :** The Regional Director  
MGB –MIMAROPA Region

**FROM :** Provincial Environment and  
Natural Resources Officer


**SUBJECT :** **STATUS REPORT RE: PUBLIC ASSEMBLY/PROTEST RALLY  
CONDUCTED BY RESIDENTS OF BROOKE'S POINT AGAINST  
THE MINING OPERATION OF IPILAN NICKEL CORPORATION  
AT BARANGAY, MAASIN, BROOKE'S POINT, PALAWAN AS OF  
FEBRUARY 28,2023**

Forwarded is the narrative/status report dated 28 February 2023 of CENRO Brooke's Point (with attachment) regarding the public Assembly/Protest being conducted by residents of Brooke's Point against the mining operation of Ipilan Nickel Corporation (INC) at Brgy, Maasin, Brooke's Point, Palawan as of February 28, 2023.

For your information, and record.

  
FELIZARDO B. CAYATOC

RGT/EMU  
Doc. No. 2023-1782

DENR-PALAWAN  
PENRO-RECORDS  
**RELEASED**  
By   
Date: CN 23-639  
10 MAR 2023



Republic of the Philippines  
Department of Environment and Natural Resources  
MIMAROPA Region  
**COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**  
Brooke's Point, Palawan

February 28, 2023

**MEMORANDUM**

**FOR :** The Provincial Environment and Natural Resources Officer  
Sta. Monica, Puerto Princesa City

**FROM :** The Community Environment and Natural Resources Officer

**SUBJECT :** STATUS REPORT RE: PUBLIC ASSEMBLY/PROTEST RALLY CONDUCTED BY RESIDENTS OF BROOKE'S POINT AGAINST THE MINING OPERATION OF IPILAN NICKEL CORPORATION AT BARANGAY MAASIN, BROOKE'S POINT, PALAWAN AS OF FEBRUARY 28, 2023

**DENR PENRO  
PALAWAN RECORDS  
RECEIVED**

BY: *[Signature]*  
DATE: 03 OF 2023 DN 23-1782

*This pertains to the on-going public assembly/rally of the residents from the different barangays in the Municipality of Brooke's Point, Palawan composed of different community sectors (e.g. Youth, Women and others) with their spokesperson Pastor Job Z. Lagrada along National Highway of Route 5, Barangay Maasin, Brooke's Point, Palawan, in front of the Office of Ipilan Nickel Corporation (INC) and the Hauling Road of the company.*

*Relative thereto, it is informed that per monitoring conducted by this Office from February 23, 2023 to date, the following information/details have been consolidated to wit:*

- 24 February 2023 :* *CEENRO Brooke's Point submitted a Status Report as of February 24, 2023 re: the on going Public Assembly/Rally detailing that:*
- a) the public assembly/rally is being held peacefully;*
  - b) the company (Ipilan Nickel Corporation) has been providing/distributing free food packs to the PNP personnel and Barangay Officials monitoring in the area including the protesters/participants of the Public Assembly/Rally;*
  - c) the bamboo barricade and temporary sheds set up/established by the protesters in front of Hauling Roads 1 and 2 which have been impeding/obstructing the operation of Ipilan Nickel Corporation are within the private property of the company with Lot Etn. 5737 (going to mine site) and Lot Etn. 5738 (heading towards the causeway area);*
  - d) in connection with the bamboo barricade set up by the protesters, the MIMAROPA Regional Director Glenn Marcelo C. Noble sent a*

*Rodriguez Sr. Piddarlan District 1, Brooke's Point Palawan 6406  
Mobile Phone: 0917 502 1264  
Email: [ccnrc@denr.gov.ph](mailto:ccnrc@denr.gov.ph)*



letter dated February 20, 2023 addressed to Mr. Karl Caesar R. Rimando, *CESO III*, Regional Director, Department of Interior and Local Government (DILG) MIMAROPA Region attention to Mr. Virgilo L. Tagle, Provincial Director, DILG Palawan requesting the DILG to extend assistance to Ipilan Nickel Corporation and permit the company to do its regular business and protect the workers from harassment from the protesters given that as far as the MGB MIMAROPA is concerned, the company has not violated the mining act, other policies, as well as the terms and conditions of the MPSA contract granted to the company by the government. The Obligation of the Government stipulated under Section 11.3 of the MPSA is also cited in the said letter. In addition, it is likewise stated that the MPSA can only be cancelled or suspended by the issuing authority if the contractor fails to comply with its contractual obligations and violates the mining act and its implementing rules and regulations. *(Copy of Letter from MGB MIMAROPA sourced out from the FB post of DYPR Palawan dated February 22, 2023)*

Copy of the status report submitted thru email to PENRO Palawan copy furnished to the DENR MIMAROPA Regional Office, and the Regional Strategic Communication and Initiatives.

*Note: Per information from the MGB Embedded personnel in CENRO Brooke's Point, said MGB letter is authentic and is supposed to be an official Office to Office communication only.*

- 23 February 2023 - as reported/posted by DYPR Palawan in their FB Page, Mayor Benedito is leaving the decision to the PNP concerning the demolition of the structures established/set up by the protesters/participants of Public Assembly/Rally against the operation of INC. On the other hand, with regards to the matter of Mayor's Permit, Mayor Benedito stated that there are no new requirements asked/requested from INC and that the requirements that the company must comply are already included in the previous list of requirements for renewal of Mayor's Permit. Mayor Benedito explained that the Requirements for Renewal depend on the type of business. In the case of INC which is a large scale operation, they are required to submit new endorsement from the impact barangays.
- 23 February 2023 - Atty. Mary Jean Feliciano in a post in her FB account invited the residents of Brooke's Point to join/participate in the Alay Lakad para sa Kalikasan to be held on February 24, 2023.
- 23 February 2023 - CENRO Brooke's Point received copy of letter correspondence dated February 12, 2023 of Mayor Cesareo R. Benedito, Jr. addressed to DENR Secretary Ma. Antonia Yulo-Loyzaga re: LGU and citizens of Brooke's Point demand the Urgent Cancellation of Ipilan Nickel

*J.*  
Rodriguez St. Poblacion District I, Brooke's Point Palawan 5305  
Mobile Phone: Globe: 0917-502-8961  
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Corporation's MPSA. Copy of said letter was forwarded/endorsed by this Office to DENR MIMAROPA Region on February 27, 2023.

24 February 2023

- The group of people/residents against mining conducted an Alay Lakad from Barangay Mambalot Plaza to front of INC Office; meanwhile, the employees and other stakeholders of the Ipilan Nickel Corporation conducted an Employee and Stakeholders Appreciation Day in front of the Office of INC wherein an IEC re: Strategies and Techniques to gradually restore mined-out areas and other activities relevant to responsible mining were discussed.

24 February 2023

- A Press Conference Against Mining was conducted by the group who are against the Mining Operation of Ipilan Nickel Corporation via zoom. Said Press Conference was organized by the President of Farmers Association, Samuel Yayen, President of Irrigation Association Joel Luagna, Tagapanguna ng IP Nelson Sombra, Pastor Job Lagrada, Protesters Group Leader, Representatives (spokesperson) from ELAC Palawan Atty. Asia Wy and from Alyansa Tigil Mina Mr. Jaybee Garganera. The Press Conference was also attended by Mayor Cesareo R. Benedito, Jr. and Vice Mayor Atty. Mary Jean D. Feliciano.

27 February 2023

- Based on the news/updates posted/reported/published by Palawan Star on its FB Page, The Mines and Geosciences Bureau (MGB) clarifies that the MPSA No. 017-93-IV between the Philippine Government and Ipilan Nickel Corporation (INC) remains in force and valid until April 10, 2025. RD Glenn Marcelo C. Noble of MGB MIMAROPA issued the clarification in a letter dated February 21, 2023 addressed to Vice Mayor Atty. Mary Jean D. Feliciano of Brooke's Point in response to the Sangguniang Bayan Resolution of the municipality which sought to investigate the operations of INC following claims that the alleged renewal of its MPSA in 2018 was without the endorsement of the Municipality of Brooke's Point and that the company is operating without a Certificate Precondition (CP) from the NCIP and a PAMB Clearance.

Per explanation of RD Noble, the MPSA of INC did not expire on August 8, 2018 as the same was amended on April 10, 2000 to conform to RA 7942 or the Philippine Mining Act of 1995 and that to resolve the issue on its effective date, the DENR issued an Order dated December 21, 2021 to confirm that the effective date of the MPSA shall be reckoned from the date of the execution of the amended MPSA. RD Noble further clarifies that INC does not need to secure a Certificate Precognition (CP) as this requirement only applies to applications filed after RA 8371 or the IPRA Law of 1997 was enacted. Hence, in reference to the letter correspondence dated March 31, 2006 by the NCIP, it was stated that the INC is no longer covered as it was already awarded an MPSA four years prior to August 5, 1993. On the other hand, the INC has already concluded the process of

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7.

securing a CP in preparation for the renewal of its MPSA in 2025 during a series of community consultations from June to August 2022 under the guidance of the NCIP whereas majority of the IPs voted for the continued operations of the company.

Further, it was also mentioned that there is also no need to secure a PAMB Clearance as the MPSA predates the Proposed Final Boundary of MMPL.

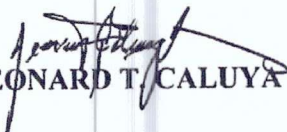
In addition, it was likewise indicated in the news report that the INC employs over 1,500 people wherein 90% are residents of Brooke's Point and that 28% of the total workforce is made up of IPs.

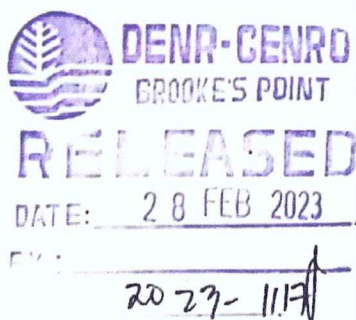
It is further informed that the subject Public Assembly/Rally has once again been extended until March 7, 2023 in reference to Memorandum Order No. 2023-065 issued by Hon. Cesareo R. Benedito, Jr., Brooke's Point Municipal Mayor addressed to PMAJ Raffy C. Esperida, Chief of Police of PNP Brooke's Point Municipal Police Station and the Punong Barangay and Barangay Officials of Barangay Maasin, Brooke's Point, Palawan who are directed to ensure that the provisions of the Batas Pambasa Blg. 880 or the Public Assembly Act of 1985 are strictly enforced.

In addition, as observed by the Monitoring Team, the protesters/participants of the Public Assembly/Rally transferred/placed the bamboo barricade along the satellite/side of the hauling road however per assessment of the team there is a possibility that the protesters will set-up a human barricade in case the hauling truck/s of the Ipilan Nickel Corporation will pass through.

Attached herewith is a copy of Memorandum Order 2023-065 for ready reference.

For information and record.

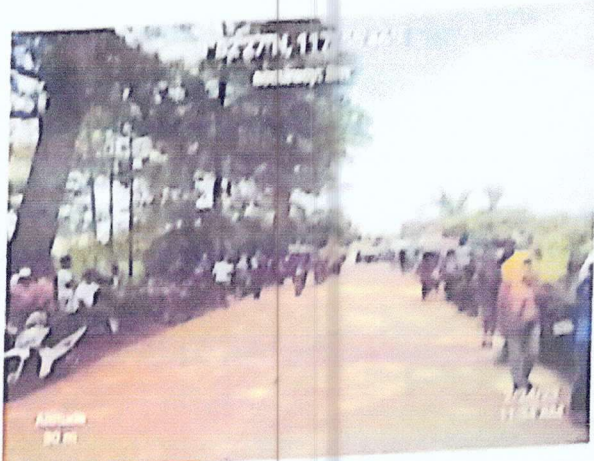
  
LEONARD T. CALUYA



.Rodriguez St. Poblacion District I, Brooke's Point Palawan 5305  
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Photo documentation re: On-going Public Assembly/Rally of Residents Of Brooke's Point, Palawan against the Mining Operation of Ipilan Nickel Corporation



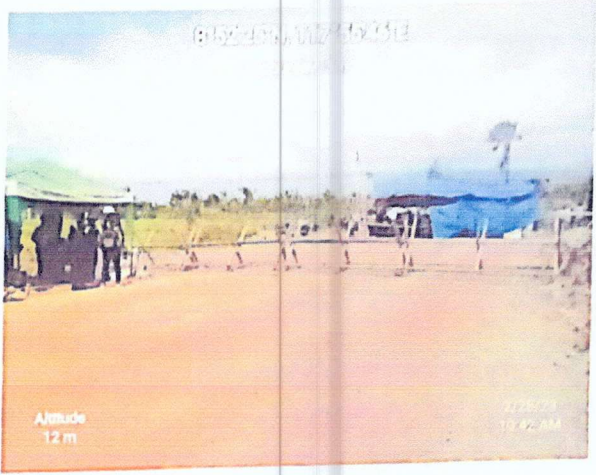
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Status in the area as of February 28, 2023



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Republic of the Philippines  
Province of Palawan  
**MUNICIPALITY OF BROOKE'S POINT**  
**Office of the Municipal Mayor**  
Email Address: [brookespointmayorsoffice@gmail.com](mailto:brookespointmayorsoffice@gmail.com)

**MEMORANDUM ORDER**No. **2023-065**

**TO : PMAJ RAFFY C ESPERIDA**  
Chief of Police  
Brooke's Point Municipal Police Station  
**The PUNONG BARANGAY AND BARANGAY OFFICIALS**  
Barangay Maasin  
Brooke's Point, Palawan

**SUBJECT : EXTENSION OF PERMIT TO PUBLIC ASSEMBLY/RALLY**

**DATE : FEBRUARY 27, 2023**

The group of Pastor Job Z. Lagrada had requested for another extension of their Permit to Public Assembly/Rally. So as not to abridge the freedom or their right to peaceably assemble and petition the government for redress of grievances, the undersigned has granted their request, which will be 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, Bgy. Maasin, this municipality, until March 7, 2023 (Tuesday).

In view thereof, by virtue of the powers vested in me under Republic Act 8551 otherwise known as the Philippine National Police Reform and Reorganization Act of 1998, Brooke's Point Municipal Police Station is hereby ordered to **STRICTLY ENFORCE** the provisions of Batas Pambansa Blg. 880 or the Public Assembly Act of 1985.

Likewise, the Punong Barangay and Officials of Barangay Maasin are directed to ensure that the provisions of BP 880 are strictly enforced within their respective territorial jurisdiction.

For strict compliance.

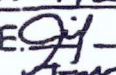
  
**CESAREO R. BENEDITO, JR.**  
Municipal Mayor

Cecilia Comm23



**SPECIAL DISTINCTION**  
**4 YEARS AWARDEE**  
2015 \* 2016 \* 2017 \* 2022  
*passed all areas*

BARANGAY MAASIN  
BROOKE'S POINT

**RECEIVED**DATE Feb. 27, 2023SIGNATURE: *Jane Barangay  
clerk*