



**JOINT PETITION  
OFFICES OF THE GOVERNORS  
PROVINCE OF ORIENTAL MINDORO  
PROVINCE OF OCCIDENTAL MINDORO**



07 February 2012

**H. E. BENIGNO S. AQUINO III**  
President, Republic of the Philippines  
Malacañan Palace, Manila

**Subject:** Cancellation of ECC-CO-0904-007-2721 issued to Intex Resources for the Nickel Mining Project in the Provinces of Oriental and Occidental Mindoro and Revocation of MPSAs related to the Mindoro Nickel Project

**Reference:** Investigation Report December 2011 pursuant to DENR Special Order No. 2009-921

**Dear MR. PRESIDENT :**

Greetings of peace and goodwill from the island of Mindoro!

As elected local government officials of Oriental and Occidental Mindoro, we would like to respectfully ask for the immediate cancellation of ECC-CO-0904-007-2721 issued to Intex Resources for the Nickel Mining Project in the Provinces of Oriental and Occidental Mindoro and Revocation of MPSAs related to the Mindoro Nickel Project.

Last November 2009, when the proposed nickel mining project was issued an environmental compliance certificate, a group of Mindoreños from our provinces staged a 10-day Hunger Strike in front of the DENR National Office. We demanded for the cancellation of the said mining project.

After a series of dialogues with then DENR Secretary Lito Atienza, the ECC was temporarily cancelled and an investigation team was organized to look into all issues attendant to the issuance of the ECC.

On 16 December 2011, the result of the said investigation was submitted to us and to Secretary Ramon J. Paje of the DENR. The Investigation Report clearly recommends the cancellation not just of the ECC but of the mining project itself.

Citing the recommendations of the report and the unequivocal opposition of the people of the island of Mindoro, we respectfully ask for the immediate and permanent cancellation of ECC-CO-0904-007-2721 issued to Intex Resources for the Nickel Mining Project in the Provinces of Oriental and Occidental Mindoro and revocation of all Mineral Production Sharing Agreements related to the Mindoro Nickel Project on the following grounds:

**A. On the Cancellation of ECC-CO-0904-007-2721 (based on Investigation Report of December 2011) :**

- The project lacks social acceptability as unequivocally expressed by the 25-year moratorium ordinances and the issuance of cease-and-desist orders against scoping and public consultation/hearing.



- EIA process is not consistent with Section 70 of the Philippine Mining Act of 1995 and Section 27 of the Local Government Code of 1991 which require prior consultation and approval by the sanggunian concerned.
- EIA Review Committee recommended denial of the ECC.
- Consultation in the ancestral domain area was limited only to the SADAKI and KABIOLOGAN Mangyan organizations and not from the organizations of Alangan and Tadyawan Mangyan tribe.
- Implication and ramification of the location of the Mindoro Nickel Project, an environmentally critical project in a critical watershed area, were not adequately considered during the EIA process.

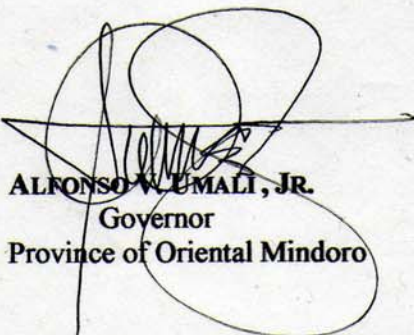
**B. On the Revocation of all MPSAs related to the Mindoro Nickel Project:**

- The mining project may not be implemented due to the opposition by the local government units concerned and lack of valid written agreements with all the groups on indigenous peoples in the area (Alvarez 2001).
- The MPSA does not consider Section 70 of the Mining Act of 1995 and Section 27 of the Local Government Code of 1991 which both require prior approval by the sanggunian concerned before any project or program is implemented (Investigation Report 2011).
- Lack of social acceptability of and opposition by the LGUs against the Mindoro Nickel Project as unequivocally expressed by the enactment of the 25-year moratorium ordinances (Investigation Report 2011; Alvarez 2001).
- There is substantial breach of the MPSA due to the failure of Aglubang to file a Declaration of Mining Project Feasibility during the exploration period (Alvarez 2001).
- The MPSA is traversed by two active earthquake faults (Alvarez 2001).
- The MPSA covers a project area within the **critical watershed** of Mag-asawang Tubig River (Investigation Report 2011).
- The FPICs for the Project, as required by IPRA of 1997, were obtained through questionable means considering that the areas covered by the MPSAs are **within the ancestral domain** of the indigenous cultural communities, the Mangyans (Alvarez 2001; Investigation Report 2011; OECD Report 2011).
- Mining operations will result to the irreversible destruction of the watershed, negation of the role of the watershed as a natural life support ecosystem, and loss of ninety-nine percent of ore as mining wastes (Investigation Report 2011).

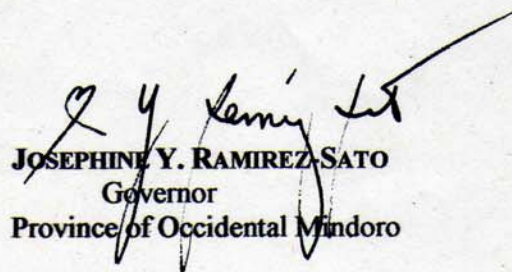
We have been in struggle against this mining project for more than a decade now and our people have shown consistent opposition. We believe the Investigation Report of December 2011, pursuant to a DENR Special Order, as supported by other documents, has sufficiently addressed and supported our petition.

Thank you and more power!

With you in the service of the Mindorenos and the Filipino people,



ALFONSO W. UMALI, JR.  
Governor  
Province of Oriental Mindoro



JOSEPHINE Y. RAMIREZ-SATO  
Governor  
Province of Occidental Mindoro