

**REPUBLIC OF THE PHILIPPINES**  
National Commission on Indigenous Peoples  
Pagadian City, Region IX



**IN RE: VALIDATION OF LIST OF ELDERS OF  
CADT NO. R09-CADT-S10-0403-0005**

ERDULFO COMISAS, LYDIA DANDANA, PANCHE TUMANGKIS, SR.,  
DANILO TUMANGKIS, SR., ALFREDO LIMBANG, ANTONIO  
LINGALA, ANDRES ANSANI, MIGUEL SAPIAN, SUSANA DAVI,  
ALITO DANDANA, LUMOWAS LUMAHIL, CELESTINO GUINAGAG,  
JUANITO PANGILAN, ALBERTO MAIS, LIMBALAN ELIAN,  
VICENTE ANOY, VICENTE GUINAGAG, DANILO BASON,  
AND TEODORO ANOY,

Elders

X \_\_\_\_\_ X

**MANIFESTATION WITH SUBMISSION OF PROOFS OF LEGITIMACY  
AS ELDERS OF CADT NO. R09-CADT-S10-0403-0005**

Elders, by counsel, to this Honorable Commission, most respectfully manifest that:

1. On June 17, 2007 the FPIC Team of this Honorable Commission headed by Engr. Abdul Puengan went to Sitio Paduan, Barangay Candis, Siocon, Zamboanga del Norte and conducted among others the validation of the list of elders of CADT R09-CADT-S10-0403-0005 pursuant to the application of TVI Resource Development Phils., Inc. for Mineral Production Sharing Agreement (MPSA) covering an area of 4,000 hectares, more or less all located within their ancestral domain.
2. On said date, Jose Anoy submitted a document which contained a list of individuals which is different from the list of elders previously certified by the Honorable Commission and earlier Resolution of July 2002 all signed by the members of the Council of Elders of CADT NO. R09-S10-0403-0005 which even included Jose Anoy.
3. The document submitted by Jose Anoy on June 17, 2007 is not proper and legal as it runs counter to the specific provision of Section 24 of NCIP Administrative Order No. 01, Series of 2000, relevant portion of which reads:  

"Except in ancestral domain areas where the elders/leaders are already identified and recognized by the NCIP as a result of delineation and titling..."
4. To re-emphasize, Elders herein respectfully submit that the ancestral domain in Siocon, Zamboanga del Norte had already been properly delineated and titled as evidenced by CADT NO. R09-S10-0403-0005, a copy which is attached hereto as Annex "A".
5. In the delineation thereof the members of the Council of Elders and the direct beneficiaries had already been identified and validated, as evidenced by the Resurvey Plan, Annex "B" hereof. In said Resurvey Plan, the direct beneficiaries who compose the Council of Elders are properly named and each member affixed his/her respective signature to show his/her conformity thereof. To reiterate the Elders who are named therein are the following:

- |                          |                           |
|--------------------------|---------------------------|
| 1. Miguel Sanian         | 17. Timuay Lino Tii       |
| 2. Lydia Dandana         | 18. Fernandez Anda        |
| 3. Juanito Pangilisan    | 19. Patricio Lingala      |
| 4. Juanito Tumangkis     | 20. Vicente Anoy          |
| 5. Vicente Guinagag      | 21. Bernardino Anoy       |
| 6. Lumowas Lumahil       | 22. Danilo Tumangkis, Sr. |
| 7. Danilo Basen          | 23. Susana Davi           |
| 8. Alito Dardana         | 24. Bolian Panga Lumayas  |
| 9. Ambanar Ansani        | 25. Teodoro Anoy          |
| 10. Timuay Jose Boy Anoy | 26. Rudy Dandana          |
| 11. Onsino Mato          | 27. Pancho Tumangkis      |
| 12. Etal Lumayas         | 28. Erdulfo Comisas       |
| 13. Crispin Guisanta     | 29. Andres Ansani         |
| 14. Limbalan Sanian      | 30. Alfredo Limbang       |
| 15. Celestino Guinagag   | 31. Antonio Lingala       |
| 16. Alberto Mase         |                           |

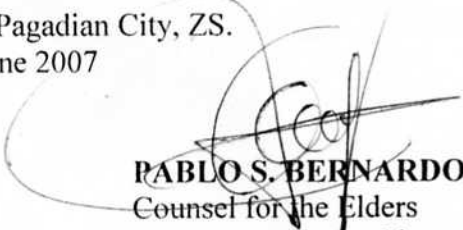
6. In the exercise of their rights as the exclusive legitimate members of the Council of Elders of CADT NO. R09-S10-0403-0005, as early as July 2002, the thirty (30) members adopted Resolution No. 03, Series of 2002, a Resolution Endorsing the List of Members/Beneficiaries of CADC 13 to the NCIP through Zamboanga del Norte SPTF. A copy of said Resolution is attached hereto as Annex "C". Further, on September 15, 2002, the thirty (30) members acting as Elders adopted the Resolution with no less than Onsino Mato acting as Presiding Officer. A copy of said Resolution is attached hereto as Annex "D".
7. Upon verification with NCIP, Region IX, a certain Atty. Francis Evan L. Dandoy II, Attorney IV issued a letter of clarification as to the list of Elders for CADT NO. R09-S10-0403-0005, a copy of said letter dated January 21, 2004 is attached hereto as Annex "E".
8. Having been certified by NCIP as such, the thirty (30) members of the Council of Elders since 2002 up to the present acted as such Elders. Thus, a Memorandum of Agreement with TVI Resource Development Phils., Inc., a copy of said MOA is attached hereto as Annex "F". Further, the members thereof are now acting as the policy making body and their authority as such is respected, consented and agreed upon by the direct beneficiaries and the entire Siocono community of Siocon, Zamboanga del Norte.
9. Again, the ancestral domain covered under CADT NO. R09-S10-0403-0005 had already been properly delineated and titled and the members of the Council of Elders were duly

identified and validated. Thus, following Section 24 of NCIP Administrative Order No. 01, Series of 2006, it falls under the exception and there is no need for further validation of elders by the NCIP.

10. Jose Anoy, et.al. are estopped from raising up a list of new elders. In the Resolution of 2002 (Annex "C") and in the Resurvey plan (Annex "B") they in writing recognized the thirty (30) members as stated therein as the duly members of the Council of Elders for CADT NO. R09-S10-0403-0005. By such action, they could no longer question its composition much more submit a new list.
11. Above documents and actions taken by the Council of Elders point to one thing – that the members of the Council of Elders are those named in paragraph 5 hereof, and none other. The list submitted by Jose Anoy is but improper and illegal.

WHEREFORE, premises considered, it is prayed that the thirty (30) members of the Council of Elders as shown in the attached documents be confirmed, certified, validated and declared as the true and legitimate members of the Council of Elders of CADT NO. R09-S10-0403-0005, and further, this Honorable Commission sets aside the list of elders submitted by Jose Anoy on June 17, 2007, it being improper and illegal.

Siocon, ZN for Pagadian City, ZS.  
18 June 2007



**PABLO S. BERNARDO**  
Counsel for the Elders  
Canatuan, Tabayo, Siocon, ZN

Copy Furnished:

**Jose Anoy**  
Paduan, Candis  
Siocon ZN

#### Explanation

Considering the distance, copy of this Manifestation is furnished to Jose Anoy thru registered mail.



**PABLO S. BERNARDO**