

The Sustainable Forest Management Law (Executive Order No. 318): Formulation of its Implementing Rules and Regulations

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SUMMARY

The EO 318 of 2004 (Promoting Sustainable Forest Management in the Philippines) has been in existence for 13 years but it still has no implementing rules and regulations (IRR). The formulation of its IRR has become more urgent as the country continues to face challenges in the development and sustainable management of its forest resources. The project aimed to formulate, and advocate for IRR of EO 318. A series of writeshops were conducted in the drafting of the IRR before it was presented in three regional (Luzon, Visayas, and Mindanao) and one national consultations to elicit issues, comments, and recommendations from the stakeholders for its refinement. The draft IRR is contained in a draft Administrative Order to be signed by the DENR Secretary. It has nine articles, six of which correspond to the six guiding principles in EO 318 namely, delineation, classification, and demarcation of forestlands; holistic, sustainable and integrated development of forestry resources; community-based forest conservation and development; incentives for enhancing private investments, economic contribution and global competitiveness of forest-based industries; proper valuation and pricing of forestry resources and financing SFM; and institutional support for SFM. This Order has a 35 sections. The final draft IRR that was submitted to FMB-DENR is in the form of a draft DENR Administrative Order (DAO) that will be signed by the DENR Secretary.

INTRODUCTION

The 1987 Philippine Constitution declares that “the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature” (Section 6, Article II). The Constitution also proclaims that all lands of the public domain, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. It allows the exploration, development, and utilization of natural resources through co-production, joint venture, or production-sharing agreements entered into by the Department of Environment and Natural Resources (DENR) with Filipino citizens, or corporations or associations for a period of 25 years, renewable for the same period (Section 2, Article XII). The DENR is “the primary government agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources, specifically forest and grazing lands, mineral resources, including those in reservation and watershed areas, and lands of the public domain, as well as the licensing and regulation of all natural resources”. The DENR is mandated to “assure the availability and sustainability of the country's natural resources through judicious

use and systematic restoration or replacement, whenever possible,” among other functions (Section 4, Executive Order [EO] 192 of 1987).

The government has been implementing forestry programs guided by sustainable forest management (SFM) concepts and principles. SFM is a strategy for managing, developing and utilizing forest resources to achieve the production of desired products or services without impairing the inherent productivity of the forest thereby insuring a continuous flow of these products or services. SFM is further defined by Revilla (2017) as a “component of sustainable development (SD) with corresponding components in other sectors such as sustainable agriculture, sustainable fisheries and aquaculture, sustainable industries, sustainable trade/commerce, sustainable support services, and sustainable renewable natural resources (NRN) resulting in sustainable environment and sustainable communities”. He says that the objectives of SFM have evolved to include production of not only timber but other forest products and services as well. Likewise, forest ecosystem health and the interests of the various forestry stakeholders are now being recognized.

The Revised Forestry Code of the Philippines (Presidential Decree [PD] No. 705 issued in 1975 as amended by PD 1559 in

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1978) adopts the policies on multiple uses of forest lands as well as undertaking the protection, development, and rehabilitation of forestlands “to ensure their continuity in productive condition” (Section 2). Sustainability of forest resources is likewise enshrined in DENR’s mandate over natural resources (EO 192 of 1989).

The Philippines is a member of the International Tropical Timber Organization (ITTO) established in 1986, which promotes “conservation and sustainable management, use and trade of tropical forest resources”. The country has developed its criteria and indicators (C&I) for SFM and pilot tested it as part of the ITTO project although it has yet to be fully implemented nationwide (FMB 2003). The country is also supportive of the Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan and Programme that aims “to reduce illegal logging through strengthening sustainable and legal forest management, improving governance, and promoting trade in legally produced timber”.

The country’s forest cover declined from 70% (21M ha) in the 1900 to 23.7% (7.11M ha) in 1987, and down to 18.3% (5.5M ha) in 1999 with an annual forest loss of 100,000 ha per year due to commercial logging and illegal timber extraction (ESSC 1999; Lasco *et al.* 2006; PTFCF 2015). Philippine forestry statistics show that the country only has 6.8M ha (22.67%) remaining forest cover in 2010 (FMB 2015). Various studies reveal that forest cover loss in the Philippines is due to deforestation and forest degradation activities that include illegal logging, fuelwood and timber poaching, agricultural expansion, strip-mining, migration, and plantation development (PTFCF 2015). These are driven by complex factors such as socio-demographic-cultural; economic-market-technological; and policy, institutional, and governance issues (Carandang *et al.* 2013; Rebugio *et al.* 2013; Bugayong *et al.* 2016).

The needs of communities within and near the forests as well as the growing demand for Philippine woods in the local and international markets that continue to drive deforestation and forest degradation activities in the countryside have yet to be fully addressed. Prior to 2010, illegal timber trade continued in the hot spot areas of the country as reflected in DENR confiscation reports of wood products from naturally grown Dipterocarps and premium tree species (Dolom *et al.* 2019).

In 2010, disastrous typhoons leading to loss of lives and property led to the declaration of a logging moratorium in natural forests through EO 23 issued by then President Benigno Aquino in 2011. To address the diminished supply of timber as well as illegal timber and fuelwood extraction due to the cessation of legal forest harvesting due to the moratorium in cutting of trees in natural forests, President Aquino also issued EO 26 establishing the National Greening Program (NGP) to reforest and rehabilitate degraded forests and open areas. The NGP harnesses the efforts of communities and interested entities to plant and care for trees in these areas not only for environmental purposes but also to provide them with alternative livelihood and prevent further degradation of forests due to timber poaching and other illegal extractive activities in forests.

In spite of these policy and program initiatives, the country has yet to craft and implement a national forest policy that will guide the sustainable management of forests and address prevailing and future issues impinging on the environment and natural resources. PD 705 remains as the basic forestry code which embodies the

guidelines, institutional responsibilities, incentives, and penalties on the practice of forestry. Several bills on sustainable forest management have been filed and refiled in Congress – both Senate and Lower House – since 1987 until the current session. The said bills incorporated recent and emerging concerns in forestry development that were not covered in PD 705 and the many policy issuances that were issued through the years.

However, the enactment of the SFM Bill remains elusive due to the lack of support from members of both Houses in Congress and it is not among the President’s priority bills. There is not enough lobbying or awareness-raising among the various sectors to gain support for the enactment of the SFM bills. Lobbying and advocacy by various groups for the SFM Bill continues to this day with the hope that it will soon be enacted. Thus, there is a need for more champions and resources to build up support from all stakeholders that will move the legislators to enact the SFM Bill.

As early as 2004, the long delayed enactment of an SFM Law prompted concerned stakeholders to lobby for the issuance of a Presidential Executive Order on SFM. Thus on 9 June 2004, then President Gloria Arroyo signed EO 318 otherwise known as “Promoting Sustainable Forest Management in the Philippines.” The EO stressed the need to harmonize policy reforms made since the issuance of PD 705 in 1975 and to make the forestry sector responsive to socio-economic and environmental changes to attain SFM in the country. As a policy, the government shall “pursue the sustainable management of forests and forestlands in watersheds” (Section 1, EO 318).

Section 3 of EO 318 provides for the formulation and promulgation of the implementing rules and regulations to implement the Order. The formulation of the IRR shall be done in “coordination with pertinent national and local agencies and bodies, LGU leagues, civil society organizations, industry groups and academe”. In 2004, then DENR Secretary Elisea Gozun instructed the Forest Management Bureau (FMB) through the leadership of the late Director Romeo Acosta to initiate the drafting of the IRR of EO 318. Six technical working groups were formed composed of representatives of the various sectors mentioned in EO 318. Fourteen FDC technical staff participated in different committees in crafting the IRR for EO 318 with FMB as lead agency. The resulting draft IRR was reportedly submitted to the Office of then DENR Secretary Michael Defensor who replaced Secretary Gozun in August 2004, but it was not formally signed into an Administrative Order and thus, was not implemented.

Policy fiats have been issued time and again by the executive branch of the government (President, DENR, and other agencies) to address emerging issues in forestry. However, there have been frequent changes in the country’s forestry policies depending on the past and current government’s agenda as well as international trends that resulted to the issuance of numerous administrative orders, memorandum circulars, and other fiats on various forestry matters. The unstable policy environment and lack of a national forest policy pose a challenge for the country in fully realizing its goal of sustainably managing its remaining forests.

The EO 318 has been in existence for 13 years but it could still be implemented to achieve SFM in the country. The formulation of its IRR has become more urgent as the country continues to face challenges in the development and sustainable management of its forest resources. It needs to provide guidance on how the nation

can cope with and address current and emerging issues such as climate change and global warming, reducing emissions from deforestation and forest degradation, disaster preparedness and mitigation, timber legality assurance, forest certification, and other environmental and socio-economic trends related to forestry. The issues on illegal logging, improved forest governance, and law enforcement or legal trade of timber products need to be incorporated in the guidelines for EO 318.

This project is a response to the urgent need to formulate and implement a national forestry policy to provide guidance in the conservation, development, and protection of the country's forests for the benefit of present and future generations of Filipinos. This policy research supports the FLEGT Roadmap for the Philippines specifically under the theme of Policy and Legal Framework Review wherein implementation of the IRR of EO 318 was identified as a way to address the unstable and non-responsive forest policies of the country. Furthermore, the IRR will complement the SFM bill, which is being deliberated in Congress.

The project aimed to formulate, and advocate for, the Implementing Rules and Regulations (IRR) for EO 318 of 2004 (Promoting Sustainable Forest Management in the Philippines) to improve the capability of the government and the private sector to participate in the protection and management of the environment.

METHODOLOGY

Analysis of Policies and Relevant Information and Literature

Various laws, executive orders, administrative orders, and related literature and information on sustainable forest management were gathered and analyzed. The analysis of related policy fiats focused on the content relative to consistency with the 1987 Philippine Constitution as well as relevance to current and future issues and concerns in the forestry sector, particularly in the management, utilization, and governance of forests and forest resources. The analysis of laws and policy issuances was guided by the principles contained in EO 318 and served as inputs in the drafting of its implementing rules and regulations.

Drafting of the Contents of the IRR

A series of writeshops were conducted by the FDC staff to draft the contents of the IRR of EO 318. After each writeshop, the draft IRR was presented and discussed with the members of the technical working group (TWG) composed of the following:

- Forest Management Bureau (FMB)
- Ecosystems Research and Development Bureau (ERDB)
- Biodiversity Management Bureau (BMB)
- Environmental Management Bureau (EMB)
- Mines and Geosciences Bureau (MGB)
- DENR Policy and Planning Service (DPPS)
- National Mapping and Resource Information Authority (NAMRIA)
- River Basin Council Office (RBCO)
- House of Representatives (Committee on Environment and Natural Resources)
- National Commission on Indigenous Peoples (NCIP)
- League of Municipalities of the Philippines (LMP)
- Forest Products Research and Development Institute (FPRDI)
- UPLB College of Forestry and Natural Resources (UPLB-CFNR)
- Philippine Wood Producers Association (PWPA)
- Chamber of Furniture Industries of the Philippines (CFIP)
- National Federation of CBFM-POs in the Philippines

- Non-Timber Forest Products Exchange Programme (NTFP-EP)
- Haribon Foundation, Inc.
- Society of Filipino Foresters, Inc. (SFFI).

The drafting of the IRR considered the current and emerging trends in the forestry sector as well as the various policies and programs being implemented. The initial draft that resulted from the TWG writeshop was presented to the FMB-DENR for comments and inputs, which were then incorporated into the draft IRR that was presented during the regional consultations. The issues, comments, and recommendations from the regional consultations were again incorporated into the draft IRR which was then presented and discussed during the national consultation. The revised draft that resulted from the national consultation was presented to the FMB-DENR for final comments before it was submitted for endorsement to the DENR Central Office.

The final draft IRR submitted to FMB-DENR is in the form of a draft DENR Administrative Order (DAO) to be signed by the DENR Secretary once it is approved after undergoing internal vetting by the DENR officials.

Regional and National Multi-Stakeholder Consultations

Three regional consultations in Luzon (Quezon City), Visayas (Cebu City), and Mindanao (Davao City) and one national consultation were held from September to November 2018. Identification of participants to the regional and national consultations was done in consultation with DENR and SFFI to ensure that all relevant stakeholders are represented. However, only 155 participants representing government (100), POs (26), private (10), NGOs (9), academe (4), and FAO-FLEGT (6) attended the consultations. **Table 1** shows the number of participants by stakeholder group in the regional and national consultations while **Table 2** shows the number and percentage of participants by gender.

During the regional consultations, the World Café method was used to enable all participants to share their comments, issues, and suggestions for each of the major articles of the draft IRR. The participants were grouped into six, focusing on each article corresponding to the guiding principles of EO 318. Each group was facilitated by FDC staff. The participants were initially assigned to an article based on their sector and field of expertise but they were also given the freedom to choose their group. For each group, the participants were requested to answer the following: a) identify the existing programs and projects relevant to their article, b) policies (existing and proposed), and c) issues and recommendations related to the implementation of EO 38. Participants in each group were given at least an hour to discuss the provisions in the article assigned. Afterwards, they were given the chance to move to other groups to discuss the provisions of each article for 20 minutes, then move on to the remaining groups. The group outputs were presented during the plenary.

Advocacy Activities

Aside from the regional consultations, the FDC team also presented the highlights of the draft IRR as a paper or poster in various national and international conferences to create awareness and elicit comments and suggestions. A policy brief was also prepared and distributed to policy makers, relevant institutions, and organizations as an advocacy material. The FDC continues to advocate for the adoption and implementation of the draft IRR of EO 318.

Table 1. Number of participants by sector in the regional and national stakeholder consultations for the Draft IRR of EO 318.

Sector	Consultations				Total
	Luzon	Visayas	Mindanao	National	
Government	12	22	27	39	100
DENR					
Central Office	1	1		2	
Luzon Regional Offices (CAR, 1, 3, 4A, 4B)	6			21	
Visayas Regional Offices (6,7,8)		16		3	
Mindanao Regional Offices (10, 11, 12, 13)			23	4	
FMB*	1			5	
ERDB*			1	1	
LMB	1				
MGB		1			
RBCO*	1	1			
NAMRIA*				2	
Department of Trade & Industry (DTI)		1		1	
National Economic Development Authority (NEDA)			1		
National Commission on Indigenous People (NCIP)			1		
Local Government Units (LGUs)		2	1		
People's Organizations	3	12	5	6	26
Kapit-BisigKapit-Bisig Farmers Association, Inc. (KBFAI)	2				
Macatumbalen CBFM & Coastal Association	1			1	
Asosasyon sa mga Mag-uuma sa Bagong (AMBAG)		3			
Sibugay Upland Farmers Organization (SUFO)		3			
Aktibong Grupo sa mga Mag-uuma sa Mahayahay (AGSAM)		2			
KAPAWA		2			
Guipis Primary Multi-purpose Cooperative (GPMPC)		1			
TTFAI		1			
Davao del Norte PO Federation			1		
Belgomar Upland Farmers Association, Inc.				3	
Cuyan-Butin Maluyok Forest Land Managers Association, Inc.				1	
National Federation of CBFM-POs in the Philippines*				1	
Private Sector	3	3	2	2	10
Society of Filipino Foresters, Inc.	1				
Chamber of Furniture Industries of the Philippines*	2				
PCEPSPI				1	
IFMAP				1	
Bac-Man Geothermal, Inc. (BGI)		1			
Matimco, Inc.		1			
Sirawai Plywood and Lumber Corp.			1		
Environmental Leadership and Training Initiative (ELTI)		1			
Private citizen			1		
Non-Government Organizations	4	0	2	3	9
NTFP-EP*	1		1	2	
Haribon Foundation*	1		1	1	
WWF	1				
Forest Foundation Philippines (FFP)	1				
Academe	0	2	0	2	4
Visayas State University (VSU)		2			
Don Mariano Marcos Memorial State University (DMMMSU)				1	
UPLB College of Forestry & Natural Resources (CFNR)				1	
FAO FLEGT Staff	1	1	1	3	6
TOTAL	23	40	37	55	155

* Participant is a member of the TWG

Table 2. Participants by gender in the regional and national stakeholder consultations.

Consultations	Female		Male		Total	
	No.	%	No.	%	No.	%
Regional consultation for Luzon	10	13.16	13	12.87	23	12.99
Regional consultation for Visayas	17	22.37	23	22.77	40	22.60
Regional consultation for Mindanao	22	28.95	37	36.63	37	33.33
National Policy Forum	27	35.53	28	27.72	55	31.07
Total	76	100	101	100	155	100

RESULTS AND DISCUSSION

Relevant Policies on Sustainable Forest Management

The Revised Forestry Code of the Philippines embodied in PD 705 (1975), as amended by PD 1559 (1978), is a revision of PD 389 (1974) otherwise known as the Forestry Reform Code of the Philippines. The Revised Forestry Code adopts the policies on multiple uses of forestlands; systematized land classification and survey; rationalization wood processing plants; and protection, development and rehabilitation of forestlands. The utilization and management of forest resources is allowed through 25-year (renewable for another 25 years) license agreement, license, lease or permit (Section 20, Chapter III) issued to private entities by the then Bureau of Forest Development as the mandated agency responsible for all forestlands, grazing lands, and forest reservations (Section 4 & 5, Chapter I). However, the Revised Forestry Code needs to be replaced since many of its provisions have been rendered inconsistent with the revision of the Philippine Constitution in 1978.

The 1987 Philippine Constitution made several changes in the governance of natural resources although it reiterates State ownership of all natural resources including public forests (Section 2, Article XII). The salient provisions relevant to SFM include:

- The exploration, development, and utilization of natural resources may be undertaken through 25-year (renewable for 25 years) co-production, joint venture, or production sharing agreements with Filipino citizens or corporations or associations with at least 60% Filipino owners (Section 2 & 11, Article XII).
- Lands of public domain are classified into agricultural, forest or timber, mineral lands, and national parks (Section 3, Article XII).
- Congress shall determine by law the specific limits of forestlands and national parks, which may not be increased or diminished except by law (Section 4, Article XII).
- The State recognizes and protects the rights of indigenous cultural communities to their ancestral lands (Section 5, Article XII; reinforced by the Indigenous People's Rights Act of 1997 [RA 8371], which requires free and prior consent from IP communities before any project is done in their ancestral lands).
- Mandating Congress to enact a local government code for more responsive and accountable local government structure through a system of decentralization (Section 3, Article X; enactment of the Local Government Code of

1991, RA 7160, which mandates LGUs to share in the management of natural resources).

- Respect for the role of independent people's organizations (Section 15, Article III; enforced through the Community-Based Forest Management Strategy, EO 263 of 1995)

After the revision of the Philippine Constitution in 1987, many of the inconsistent provisions of the Revised Forestry Code were addressed through the enactment of specific laws by Congress and executive orders issued by the President as well as various policy issuances of the concerned agencies and offices. However, Congress has yet to enact a law on sustainable forest management (SFM) as the SFM Bills filed in both Houses of Congress since 1989 have not reached approval and enactment. Hence, officials from the forestry sector pursued the issuance of EO 318 (Promoting SFM) in 2004 by then President Gloria Arroyo. The IRR of EO 318 was drafted but it was never signed into a DAO due to changes in administration at DENR. Policies enacted and issued after 1987 that are relevant to SFM are discussed in the following sections.

EO 192 of 1987, otherwise known as the Reorganization Act of Department of Environment and Natural Resources (DENR), mandates the DENR as primary agency responsible for the conservation, management, development, and proper use of the country's environment and natural resources, including forest and grazing lands, reservation and watershed areas in public domain (Section 4). Its mandate includes the licensing and regulation of all natural resources particularly the development, disposition, extraction, exploration, and use of the country's forest, land, and mineral resources (Section 5j). DENR is tasked to promulgate rules and guidelines on the issuance of co-production, joint venture or production sharing agreements, licenses, permits, concessions, leases and other arrangements (Section 5l). It is also the sole agency responsible for the classification, sub classification, surveying, and titling of lands in consultation with appropriate agencies (Section 5m).

EO 192 also provides for the creation of the FMB (Section 13) with staff functions such as advising the DENR Secretary on matters pertaining to forest development and conservation policies and the regional offices in the implementation of forestry policies and programs.

The Local Government Code (RA 7160 of 1991) declares as policy the local autonomy of local government units through decentralization whereby LGUs are given more powers, authority, responsibilities, and resources. It also requires all national agencies and offices to conduct consultations with LGUs, NGOs, POs, and other concerned sectors of the community prior to implementation of programs and projects within locality (Section 2). DENR devolved some of its functions to LGUs and these include the implementation of community-based forestry projects like Integrated Social Forestry Program (ISFP), including individual farms with certificates of stewardship contracts (CSCs); management and control of communal forests with an area not exceeding 50 km², establishment of tree parks, greenbelts, and similar forest development projects. At the provincial level, the LGUs are responsible for the enforcement of forestry laws limited to community-based forestry projects, pollution control law, small-scale mining law, and other laws on the protection of the environment, and mini-hydroelectric projects for local purposes (RA 7160, Book 1, Title 1, Chapter 1, Section 17).

EO 263 of 1995 otherwise known as “Adopting Community-based Forest Management as the National Strategy to ensure the Sustainable Development of the Country’s Forestlands Resources and Providing Mechanisms for its Implementation” recognizes the role and responsibility of local communities in forest protection, rehabilitation, management, and utilization of forestlands. Participating people’s organizations may be granted long-term (25 years renewable for 25 years) tenure for sustainable management of forestlands (Section 3). The EO also mandates the DENR to allot adequate funds to accomplish CBFM targets (Section 7) and to source local and international grants and donations for the establishment of the CBFM Special Account (Section 8). It also mandates DENR in collaboration with academe, private, and public organizations for the conduct of community forestry program for POs, NGOs, local government units and other government personnel (Section 10).

Various DAOs, memorandum orders and circulars have been issued by DENR to guide the implementation of EO 263. Significant provisions include the issuance of CBFM Agreements to POs and the preparation and implementation of community resources management framework and action plans including the issuance of resource use permits for harvesting of resources within their CBFMA areas.

Organized communities within protected areas may also be given access to forest resources within multiple use zones through the Protected Area Community-Based Resources Management Agreement (PACBRMA) as provided for in the National Integrated Protected Areas System (NIPAS) Act (RA 7586 of 1992 as amended by RA 11038, ENIPAS Act of 2018). NIPAS is a turning point in recognizing the rights of indigenous peoples to their land and traditional practices.

The IPRA (RA 8371 of 1997) and its implementing rules and regulations provide for the recognition and protection of rights of indigenous communities to their ancestral lands including ancestral domain claims within public forestlands. The law requires project implementers within ancestral domain areas to seek free and prior informed consent of the indigenous communities as a prerequisite for issuance of permits or clearance for project implementation. The IPRA aims to improve the IP’s quality of life, promote unity and justice among the indigenous groups, and thereby promote sustainability of indigenous resource management practices (Prill-Brett 2007).

Guiding Principles in EO 318

The impetus for the issuance of EO 318 in 2004 was the need for guidance to national agencies and instrumentalities on how to harmonize the policy reforms provided in the 1987 Philippine Constitution and to make the forestry sector responsive to external changes, and attain SFM in the country. It was supposed to be an interim policy issuance until Congress enacts a law to fully replace the Revised Forestry Code embodied in PD 705 of 1975, as amended by PD 1559 in 1978.

EO 318 declares as policy of the government to pursue sustainable management of forests and forestland in watersheds. Thus, watersheds as “ecosystem management units shall be managed in a holistic, scientific, rights-based, technology-based and community-based manner and observing the principles of multiple-use, decentralization and devolution, and active participation of LGUs, synergism of economic, ecological, social and cultural objectives, and the rationalization of all resources found therein.” It also reiterates the policy of government to “promote sound, effective and efficient, globally-competitive and

equitable forestry practices in both public and private domains” (Section 1).

EO 318 forwards the following six guiding principles in pursuit of SFM (Section 2):

- Delineation, classification, and demarcation of forestlands
- Holistic, sustainable, and integrated development of forestry resources
- Community-based forest conservation and development
- Incentives for enhancing private investments, economic contribution, and global competitiveness of forest-based industries
- Proper valuation and pricing of forestry resources and financing SFM, and
- Institutional support for SFM.

Issues Arising from the Stakeholder Consultations

The stakeholder consultations yielded several issues raised by the participants during the discussion of the Articles of the draft IRR. Tables 3 to 8 show the issues and concerns raised in the stakeholder consultations held in Luzon, Visayas, Mindanao, and in the national level. Many of the issues and concerns raised during the consultations reiterate those already discussed in various policy forums through the years that have yet to be addressed.

For Article II, on the delineation, classification, and demarcation of state forestlands, the major concerns raised are related to the conversion of forestlands to non-forestry use; the long overdue reclassification of public lands below 18% in slope; overlapping Proclamations; overlapping tenure (**Table 3**). Related to this is the bill filed in Congress on the Delineation of Specific Forest Limits, which the participants feel would address the issues on land use conflicts and boundary delineation in forestlands. However, Congress has failed to pass this bill. The release of the latest land classification map from NAMRIA would also provide a clear reference in the demarcation of forestlands in the country. In the national consultation, the issue arose on the lack of policy on energy generation from biomass/fuelwood production. This involves harvesting/gathering, which are prohibited within protection forests.

Article III deals on the topic of holistic, sustainable, and integrated development. For both Luzon and Visayas consultations (**Table 4**), issues on the NGP were identified such as lack of guidelines on harvesting of products within the NGP area, low survival of planted seedlings, and lack of accredited nurseries as sources of planting materials. The participants pointed out the need to improve and strictly follow the strategies in implementing the program and address the causes of low survival (e.g. fire, grazing, strong wind, firewood gathering, among others). The participants also recommended to provide enough time to produce quality seedlings. In the Visayas consultation, the adoption of rainforestation technology as a strategy to restore degraded lands arose with recommendations to support research on native species and provide capacity building to stakeholders on this technology. In the Mindanao consultations, a major issue was the low compliance of LGUs to prepare the CLUP/FLUP and the need to harmonize or synchronize the FLUP with the ancestral domain sustainable development plan (ADSDPP) plan. The participants emphasized that the FLUP shall be the basis of the ADSDPP. Another problem that arose in the Mindanao consultation was the encroachment of production activities in the protected areas, particularly the expansion of areas for banana plantations in Mt. Apo. In the national consultations, the appropriate tenurial

Table 3. Issues and recommendations by stakeholder participants on Article II - Delineation, Classification and Demarcation of State Forestlands.

	Issues	Recommendations
Luzon	- Conflict in the provision in EO 318 on permanent forest estate vs. conversion of forestlands into non-forestry uses - Forest in private lands and A&D areas not included in the category of forest land (issue on CADT and CADC) Need for the reclassification of public lands below 18% in slope Overlapping Proclamations over a single parcel of land (e.g. NIA reservations, forest reserves, protected areas; CLOA issued by DAR on portions of Forest Lands) Need to clarify if harvesting/utilization in mangrove areas is allowed Easement guidelines are not strictly followed (e.g. Boracay) - Declaring all pine forest areas as protection forests (50% in slope and less than 1000m asl) is not reflective of IPRA – ADSPPP - Pine forests cover protection and production zones	Recommend to hasten reclassification of public lands Recommend to update land classification map Recommend strict compliance of the laws and policies on land titling and observance of easement regulations Recommend to exempt pine forests as part of protection forest and to consider establishment of pine tree plantations to prevent conversion of pine forest into other land uses such as agricultural farms
Visayas	Concern on encroachment on easement zones of river & other bodies of water Reclassification of public lands below 18% in slope	Recommend that the CLUP of concerned LGUs address this (e.g. relocation) Recommend to hasten reclassification of public lands; release latest NAMRIA LC map; and the approval of bill on Act Providing the Delineation of Specific Limits of the Public Domain and for other Purposes This should be incorporated in the FLUP/CLUP of municipalities.
Mindanao	Demarcation of geo-hazard areas within forest lands and within areas of responsibility of LGUs The bill on Forest Land Boundary Delineation is not yet approved by Congress Reduction of forestland area due to reclassification (e.g. portion of Laac, Compostela Valley) DPWH national roads/hi-way within forest lands are withdrawn from forestry purposes. Transfer of jurisdiction to DPWH can be done only upon declaration of Congress that such project is for the national interest. There is a need to clarify this to facilitate the completion of Build-Build-Build projects. Issue on jurisdiction of abandoned fishponds (under BFAR) reverted to forestlands (under DENR) BFAR is not ready/willing to relinquish management over the area since food production is also a national priority	
National	No clear policy on energy generation from biomass/fuelwood production. This involves harvesting/gathering which are prohibited within protection forests.	

Table 4. Issues and recommendations by stakeholder participants on Article III - Holistic, Sustainable and Integrated Development.

	Issues	Recommendations
Luzon	Conflict between CBFM areas and Ancestral Domain/Claim Suspended harvesting of planted trees in CBFM areas Water right issues – no permanent IT on water rights application Lack of guidelines on harvesting of products within NGP sites Low survival of NGP (30%) - DENR DAO 2010-11 (on seedling production and accredited nursery as source of planting materials) is not fully adopted due to time limitation to acquire/ produce seedlings for NGP - Resource Management in Ancestral Domain and IPs occupied areas - Boundary conflict between CBFM areas and ancestral domain/lands	Recommend to refer to Control Map of DENR/NAMRIA Lifting suspension of RUPs subject to existing policies NWRB should expedite all applications as provided under “Ease of doing business” law; NWRB has already “deputized” DENR to process applications regarding water rights Develop an investment portfolio; full implementation of Forestry Investment Road Map Improve implementation strategies to address causes of low survival e.g. fire, grazing, strong wind, firewood gathering, etc. Zoning in ancestral domain areas; Need to clarify hierarchy of plans e.g. ecotourism plan of LGU vs declaration as sacred grounds of IPs
Visayas	DENR DAO 2010-11 (on seedling production and accredited nursery as source of planting materials) not fully adopted due to time limitation to acquire/ produce seedlings for NGP Need for the adoption of rainforestation technology at the local, regional and national level as a strategy to restore degraded land	Recommend to provide appropriate time for production of high quality seedling Recommend provision of support for research on native species; capacity building on rainforestation technology
Mindanao	Low compliance of LGUs re: preparation of FLUPs/CLUPs Need to harmonize/synchronize FLUP and ADSPPP formulation Encroachment of production activities in the protected areas (i.e. rapidly increasing area of banana plantation in Mt. Apo)	FLUP shall be the basis in the preparation of ADSPPP
National	There should be tenurial instruments for bamboo forests Should harvesting rights/tenurial instruments be given to those who planted trees in watersheds since these are protected areas? Propose a DAO to regulate/allow harvesting in private bamboo plantations.	Private bamboo plantations should be registered to DENR by TNC 9920 or issued a CTPO.

instruments for bamboo plantations/forests arose. There was also a proposal to create an administrative order that would regulate/allow harvesting in private bamboo plantations, to be registered under the DENR and issued with a CTPO.

Article IV is on community-based forest conservation and development. The issues raised under this article are wide ranging (Table 5). Again, the issue of boundary conflicts and overlapping tenurial instruments arose. Related to this is the lack of recognition of tenurial instruments by the LGUs and the limited support given to the tenure holders in terms of technical, market, and financial assistance. In addition, there is a lack of harmonized data of tenurial instruments. To address these problems, it was recommended that the LGUs develop and manage a database of tenure holders in their community and to conduct an IEC campaign to strengthen the partnership of DENR, LGUs, POs, and other stakeholders. Assisting the POs to market their products by linking them with government and private agencies was also suggested. A general observation of the participants was the need to harmonize policies to avoid conflict in land use. Issues on the implementation of the NGP was also discussed under this section. These include insufficient funds for maintenance and protection (for 3 years only), low survival of NGP planted seedlings, need to recognize NGP areas planted by POs outside their CBFM area. Another issue was the delay in updating the Community Resource Management Framework (CRMF) of the CBFM POs who need the assistance of the DENR to facilitate its completion.

Article V is on incentives for enhancing private investments, economic contribution, and global competitiveness of forest-based industries. The issues under this topic mainly deal with the need to provide “attractive” incentives to communities and stakeholders to engage in forestry development activities (Table 6). In the Luzon and Mindanao consultations, this lack of incentives has resulted to the conversion of forestlands into corn plantations and other agricultural crops. At present, the lack of site-species-market matching puts the farmers at a disadvantage in terms of marketing their products. This is also true in NGP areas wherein the trees planted should have a good market demand. Related to this is the difficulty of PO farmers to harvest planted trees with their tenure areas and NGP sites. Another significant issue is the lack of incentives from resource users to communities/CBFM POs who are managing and protecting the forests and watersheds. In the Mindanao consultation, incentives for biofuels production and inclusion of rubber plantations in NGP areas arose.

The issues on Article VI, proper valuation and pricing of forestry resources and financing sustainable forest management, mainly refers to the lack of funds to conduct valuation studies in protected areas, arising from the Minadano consultations (Table 7). In the national consultations, it was suggested that DENR be mandated to initiate the Sustainable Forest Development Fund (SFDF).

Article VII is on institutional support for sustainable forest management. The issues arising from this article are mostly related to participation of various stakeholders in forest protection and development activities and lack of financial and technical support as well as incentives for CBFM tenure holders to engage in forest protection and development (Table 8). Prohibitive and changing policies discourage private individuals, businessmen and other stakeholders from investing in the development of tree plantations. In the Luzon consultations, participants identified the

need to activate multi-sectoral forest protection councils (MFPC) at the regional, provincial, and municipal levels and strengthen the involvement of other stakeholders like Bantay Gubat and the Philippine National Police (PNP) in forest protection. It was also suggested that DENR provide CBFM POs with basic para-legal training on apprehension and due process. In the Mindanao consultations, the participants identified the need to assess the effectiveness of the LAWIN technology as a tool for forest protection. The illegal use and unregulated sale of chainsaws were further identified as issues under this article with the suggestion to amend DAO 2003-24 or the IRR of the Chainsaw Act of 2002.

Salient Features of the Draft IRR of EO 318

The Draft DENR Administrative Order (DAO) shall be known as “Implementing Rules and Regulations (IRR) on Promoting Sustainable Forest Management in the Philippines”. It incorporates all relevant policy issuances, such as the NIPAS and ENIPAS Acts, IPRA, Local Government Code of 1991, EO 192, EO 263, and their corresponding IRRs, among other fiats. The following six guiding principles in EO 318 served as framework in the formulation of this IRR: 1) delineation, classification, and demarcation of forestlands; 2) holistic, sustainable, and integrated development of forest lands and resources; 3) community-based forest conservation and development; 4) incentives for enhancing private investments, economic contribution and global competitiveness of forest-based industries; 5) proper valuation and pricing of forestry resources and financing SFM; and 6) institutional support for SFM.

The draft DAO has nine articles, six of which correspond to the six guiding principles in EO 318 while the other three are on: a) Title, Basic Policy, Definition of Terms and Scope; b) Funds; and c) Final Provisions. This Order has a total of 35 sections.

Article I: Title, Basic Policy, Definitions of Terms, and Scope.

Article 1 has four sections: 1) Title; 2) Basic Policy; 3) Definition of Terms; and 4) Scope and Coverage. The Article emphasizes the policy of the State to pursue sustainable management of forests and forestlands with watersheds deemed as ecosystem management units. Management shall be done in a holistic, scientific, rights-based, technology-based, and community-based manner while observing various principles of multiple-use, decentralization and devolution, and active participation of LGUs, synergism of economic, ecological, social and cultural objectives, and the rational utilization of all resources found therein. Forty-five relevant terms are defined in Section 3. The scope and coverage of this DAO (Section 4) shall apply to all forestlands and all forest resources found therein, including untitled agricultural lands, private tree plantations, civil and military reservations, and areas managed by other government agencies or LGUs.

Article II: Delineation, Classification, and Demarcation of Forestlands.

The Article mentions that forestlands shall constitute all permanent forest or forest reserves; forest reservations; all remaining unclassified public lands; mined-out areas and abandoned fishpond lease areas within forestlands; and other remaining public forest areas to be assessed and delineated by DENR. It has five subsections on the delineation of forestland, classification of forestlands, determination of production and protection forests, ground delineation of production forests, and demarcation of forestlands. Forestlands are classified as protection forest (declared by Law or Proclamations) and production forest (used for production of timber, and non-timber products, agroforestry, grazing, multiple-uses, and renewable

Table 5. Issues and recommendations by stakeholder participants on Article IV - Community-Based Conservation and Development.

	Issues	Recommendations
Luzon	Limited support from DILG, LGUs such as funds, assistance for CBFM, PACBARMA Lack of recognition of tenurial instrument on the part of LGUs No harmonized database of tenurial holders Delay in CRMF updating Overlapping of CBFM areas with ancestral domain CBFM POs lack community-based enterprise scheme Limited capability, equipment to improve quality of products NGP areas located outside CBFM area NGP funds for Maintenance and Protection is insufficient (3 years)/ short term Low planting stocks/low survival of NGP species Need to clarify the no cutting of planted species under EO 23.	Strengthen IEC among LGU-DENR-PO and other stakeholders on CBFM and DENR policies. LGU to manage database on tenure holders DENR to assist CBFM holders in updating AWP and CRMF Harmonize policies of government agencies Assist POs to develop community-based livelihood/enterprises and link with other agencies like DOST, DTI, LGUs, NGOs Recognize these NGP areas as part of CBFM area Create MOA increasing to 5 years maintenance and protection activities for sustainability purposes ERDB to develop quality planting stocks
Visayas	Seedlings in NGP areas were uprooted by land claimants Rampant illegal gathering/ timber poaching in forest and proclaimed protected area Improper use of Certificate of Tree Plantation Ownership (CTPO) High mortality of NGP planted seedlings planted in NGP due to spraying of herbicide in corn plantations in adjacent area and also affecting water, health of people Suspension of Resource Use Permit (Watershed/Water)	Strict issuance of CTPO Conduct consultation with concerned stakeholders Conduct of Ecosystem Valuation for Payment of Ecosystem Approach/ Resource Use Permit
Mindanao	Overlapping tenurial instruments Conversion of land use from forest trees to agricultural crops; Conflict in land use Development vs. Regulatory (EO 263 vs. EO 23) functions	Develop capacity of POs; subject to FPIC process upon renewal/ expiration of tenure Strict implementation of policies; Harmonization of policies
National		There should be emphasis on FLUP which is not a primary concern of the LGUs

Table 6. Issues and recommendations by stakeholder participants on Article V - Incentives for Enhancing Private Investments, Economic Contribution and Global Competitiveness of Forest-Based Industries.

	Issues	Recommendations
Luzon	Create "attractive investments" to minimize conversion of forest to corn and other crops. Basic sectors lack of capital, enterprise capacity, information on incentives, access to market hamper investment in forestry enterprises Lack of consultation with CBFM POs for resource extraction projects within CBFM areas Lack of access of CBFM PO to share/incentives due to them from resource users (water, minerals, etc) within CBFM areas Re: DAO 99-46 on regulations governing the entry and disposition of imported logs, lumber, wood-based products, raw materials, DENR requires importers to secure certificate of registration	Access to incentives are provided under RA 8425 such as PDTF, micro-finance program, etc. Provision of incentives to the communities that are managing/ protecting the head waters Simplify the process and reduce documentary requirements for CR of imported products
Visayas	Tax collection of LGUs for developmental activities within forestlands (re LG Code and municipal ordinances) Difficulty to harvest/utilize planted trees within CBFMA Non-PO members planting corn in their claimed areas within NGP sites Low quality of government-funded forest plantations	Conduct silvicultural practices
Mindanao	Issue on 10% limit to agricultural development within tenured areas (DAO 99-53/IFMA) CTPO is issued only to private tree plantations and not to backyard tree plantations established in untenured forestlands (leads to illegal tree cutting) No guidelines on protection, maintenance and harvesting of NGP areas planted by farmers in untenured forestlands after 3-year contract.	Lift the limit as long as crops planted are long term and can be converted to reconstituted wood products (e.g. particle board, laminated, finger-jointed wood, etc.) Propose amendment to DAO 99-20 to issue CTPO for backyard tree plantations established in untenured FL as certified by LGU (Brgy. Captain) • Develop a plan and provide incentive for the continued maintenance of NGP areas planted by farmers e.g. linking the planting of trees to market (site-species-market matching) • Include rubber plantations in NGP areas (clarify policy if rubber is still considered an agricultural crop – part of 10% limitation to agricultural crops in forestlands)
National	No program & incentives for biofuel plantation development (ex. Nipa for alcohol) in swamplands	Propose development of swampland areas for biofuel production under joint venture/co-production agreements • Review concept of co-management, including incentives • Include Green Jobs Acts in the draft IRR

Table 7. Issues and recommendations by stakeholder participants on Article VI. Proper Valuation and Pricing of Forestry Resources and Financing SFM.

	Issues	Recommendations
Luzon		
Visayas		
Mindanao	Lack of funds and manpower to conduct valuation studies in protected areas	Additional funds should be provided to support the conduct of the valuation studies
National	Clarification if SFDF is based on a DAO or higher policy? It should be created through policy issuance.	Will mandate DENR to do this since there is a need for a body/agency to initiate the development of the funding mechanism.

Table 8. Issues and recommendations by stakeholder participants on Article VII - Institutional Support for SFM.

	Issues	Recommendations
Luzon	Need to enhance technical capability of academe to monitor NGP (for third party monitoring under Technical Bulletin 2017-23)	
	Some municipalities still have no FLUP and CLUP	Make mandatory for LGUS the establishment of nurseries
	Devolution of forest management	
	On POs/IPs with NGP, under tenured programs and in PAs, issue on:	Continuous community organizing by DENR, regular PO meetings/summit, capacity building
	- Community Organizing	
	- Blacklisted POs/non-performing/dummy	
	- Lack of funding (support different budget and funding)	
	Prohibitive policies for private investors to invest in plantations/participate in NGP	Conduct IEC for investors
	Lack of incentives for forest-based business groups to participate in various programs such as forest protection, apprehension, coastal clean-up, etc	No incentives for deputized PO members
	No incentives for deputized PO members	
		DENR to provide due process on forest protection cases filed by POs. POs to be trained and equipped with fire arms
		Full time MENRO should be mandatory for municipalities with forests
		Para-legal training for deputized POs
	MFPC inactive in other regions, province, municipal levels	Reactivate SDENRO with yearly compensation
Visayas		
Mindanao	Provide comprehensive data for protection system (Lawin's data)	Conduct assessment on its effectiveness of Lawin
	Diminishing of national conflicts with previous issuances	
	Merging of policy on Wood Processing Permit (WPP) and chainsaw monitoring	
	- buyers and sellers (need supporting documents)	
	Illegal use of chainsaw/bandsaw	Strict monitoring and regulated selling of chainsaw/ bandsaw; Amend Sec 30 of DAO 2003-24 on IRR of Chainsaw Act of 2002
National	Political issue on enforcement of forest protection	Strengthen forest protection through involvement of MSFPC, DENROs, Bantay Gubat, PNP and AFP

energy). Steps in determining production and protection forests are also included as well as the procedures for delineation and demarcation of forestlands. Specific forestland limits shall not be modified unless by an Act of Congress.

Article III: Holistic, Sustainable and Integrated Development of Forest Lands and Resources. It has the following sections: 1) Development and management of forests and forest resources; 2) Activities allowed in protection and production forest; 3) Other forest managers and permittees; 4) Agreement with private land owners; 5) Priority development, protection and management activities; 8) Urban greening, 9) Forest resource management and utilization; and 10) Forest-based industries. This article discusses the development, protection, and management activities allowed in forestlands including the roles of forest managers and permittees.

Watersheds shall serve as the basic planning and management unit in the preparation of national, regional, and provincial framework plans. Development and management of forests and forestlands shall consider the following: a) forests and forestlands to be developed and managed through integrated watershed management approach (IWMA); b) integration of climate change adaptation and mitigation and disaster risk reduction and management in the local and national forest policies and programs; c) adoption of forestry investment roadmap to drive the development and management of forest through local and foreign direct investment; d) respect to indigenous knowledge systems and practices in the management of forestland within ancestral domains; e) pursue the development and implementation of national forest certification system to ensure sustainable forest management; and f) promote gender equity and equality, respect for human rights and democratic

processes within its organization and foster cooperation between government agencies and private sectors.

The Article provides that tenurial instruments shall be issued to private entities, people's organizations or indigenous people groups under the three modes allowed in the Constitution: co-production and production-sharing or joint venture schemes. LGUs, academe and Government Owned and Controlled Corporation (GOCC) may be allowed to develop and manage portions of the forestlands. Various management and development plans shall be harmonized in accordance with the directions set forth in the Philippine Development Plan, Regional Development Plan and Sustainable Development Goals.

Forest-based industries are encouraged to engage in rationalized and sustainable investment schemes through vertical integration. Tenure holders are also encouraged to adopt a forest certification system which indicates that their products come from sustainably managed forests and legal sources.

Article IV: Community-Based Forest Conservation and Development. Its four sections include: 1) CBFM as the primary strategy in all forest conservation and development of related activities; 2) Collaborative undertaking on CBFM; and 3) Recognition of local cultures, values, traditions and practices of indigenous peoples; and 4) Community-Based Forest Enterprises (CBFE). This article discusses CBFM as a possible primary strategy in all forest conservation and development activities ensuring that the principles of social equity, sustainability, and community participation shall be applied.

The Article states that DENR shall: 1) provide security of tenure, technical assistance, and incentives to participating local communities for them to protect, manage, develop and utilize the forest lands and resources within their areas; 2) provide an enabling environment to support and strengthen POs in the conservation and development of forestlands and mangrove areas on a sustainable basis in partnership with local government units, government agencies, non-government organizations (NGOs), investors, academe, research institutions, civil society, private sector and other concerned organizations; and 3) assist the POs and Indigenous Peoples (IPs) in identifying potential CBFE; assess their potentials as sources of raw materials; facilitate marketing and linking with potential market investors with the assistance of LGU and assisting organization. The Article also mentions gross income sharing between POs (75%) and government (25%) following existing guidelines.

Article IV also recognizes the cultures, values, and traditions, and practices of IPs and acknowledges the inherent rights of IPs to self-governance and self-determination as well as their contribution in the conservation in the conservation, management, and development of the country's environment and natural resources.

Article V: Incentives for Enhancing Private Investments, Economic Contribution and Global Competitiveness of Forest-Based Industries. It has five sections on: 1) Provision of favorable and stable policy and investment environment; 2) Support for Filipino entrepreneurship in forestry; 3) Adoption of package of incentives and services responsive to development of forests in private and public forestlands; 4) Promoting and encouraging the development of high value tree crops and non-timber forest crops in public forestlands; and 5) Provision of incentives to encourage co-management of forest resources involving national and other government agencies.

The first section lays down the guidelines for implementation of a Forestry Investment Road Map to encourage private sector to invest in development of potential areas for: a) forest plantations for timber, non-timber forest products, fuelwood, biomass, and high value crops; b) cattle grazing; c) ecotourism outside NIPAS areas; and d) other ecosystem services. It also tasks DENR to create a Forestry Investment Review Committee (FIRC) and Forest Investment Portfolio Approach (FIPA) Technical Working Group (TWG) at the Regional Offices to oversee Forest Investment Portfolio Package (FIPP). It also defines the roles and tasks of the FIPATWG namely a) assessment phase of potential investment areas; b) securing of necessary clearances and other requirements in the FIPP from the concerned government agencies/offices; and c) development of Forest Investment Development Plan that shall form part of the FIPP, which when approved by the DENR Secretary, shall be offered to interested and qualified parties through public bidding.

Article VI: Proper Valuation and Pricing of Forestry Resources and Financing SFM. The Article has five sections namely: a) Mechanisms for Proper Valuation and Pricing; b) Environment and Natural Resource Accounting (ENRA); c) Plow-back Mechanisms; d) Forest Investment Portfolio Approach; and e) Government Investments In and Out-Sourced Financing for Forest Development. This article emphasizes the need to develop a mechanism for proper valuation as well as fair and comprehensive pricing of forest products and services, including water for domestic, industrial, irrigation, and power generation, biodiversity and eco-tourism to promote conservation and proper use of the forest resources. This Order mandates the DENR as lead agency to develop guidelines for proper valuation and pricing of these forest products and services. The System of Environmental Economic Accounting (SEEA) Framework shall be adopted in the conduct of forestry resource accounting.

To finance forest protection, rehabilitation, and development, plow-back mechanisms of utilizing proceeds from the use of watersheds, forest, and forestlands for ecological and environmental services such as, but not limited to power generation, supplying domestic and irrigation water, and ecotourism shall be developed and promoted.

FIPA shall also be used as framework for forest investment. This approach shall be implemented to encourage private sectors to invest in forestry that will increase the forestry sector's economic contribution to the Gross Domestic Product (GDP).

Article VII: Institutional Support for SFM. It has seven articles namely: a) Principles and practices of good governance; b) Partnerships and collaboration; c) Upgrading and modernization of forestry institutions; d) Harnessing forestry research, development and extension; f) Technical assistance; g) Networks and linkages; and h) Monitoring, evaluation, and reporting system.

The principles and practices of good governance such as transparency, accountability and participatory decision-making, in transactions, decisions and actions affecting forestry, in all levels, and the policy of streamlining, decentralization, devolution and deregulation shall be adopted, promoted and institutionalized in the Government service of the DENR-FMB.

The Article states that all forestry research, development, and extension shall be harnessed to generate information, technologies and policies that will strengthen national capacities for SFM.

Networks and linkages with local and international institutions, LGUs, media and industries involved in the promotion and practice of SFM shall be likewise strengthened.

Article VIII: Funds. Funding of the IRR shall be charged from the DENR's annual allocation under the General Appropriations Act (GAA). Additional funds can also be sourced from the Official Development Assistance (ODA) portfolios and from other funding agreements.

Articles IX: Final Provisions. It includes the separability clause, repealing clause, and effectivity of this Order.

CONCLUSION AND RECOMMENDATIONS

EO 318 issued in 2004 otherwise known as "Sustainable Forest Management in the Philippines" aims to pursue sustainable management of forests and forestlands in watersheds. These watersheds shall be managed in a holistic, scientific, rights-based, technology-based, and community-based manner. It shall observe the principles of multiple-use, decentralization and devolution, and active participation of LGUs, synergism of economic, ecological, social, and cultural objectives, and the rational utilization of all resources found therein. It is also the policy of the Government to promote sound, effective and efficient, globally-competitive, and equitable forestry practices in both public and private domains.

The implementing rules and regulations of EO 318 should have been crafted within a year after its issuance in 2004 but the IRR did not materialize despite the efforts made by the past administrations in the DENR. Instead, various laws and policy issuances were enacted and issued to implement the various components of SFM. The formulation of the IRR for EO 318 has become more urgent considering the challenges in the development and sustainable management of the country's forest resources.

The IRR for EO 318 of 2004 otherwise known as Promoting Sustainable Forest Management in the Philippines was conducted by the FDC-CFNR-UPLB from January 2018 to May 31, 2019. The general objective of the project was to formulate and advocate for the implementing rules and regulations for EO 318 of 2004.

To attain the objectives of the project, all relevant and related policies, bills filed in Congress, programs, researches, studies and publications on SFM were gathered, synthesized and analyzed. The FDC team and the organized TWG worked together in drafting the IRR of EO 318. Current and emerging trends and issues were considered in the formulation of the IRR. Regional and national consultations were conducted to present and solicit comments, suggestions, issues, concerns and recommendations from various stakeholders. The revised draft IRR was presented to the FMB for their comments, suggestions, and consideration for endorsement to DENR.

The draft IRR of EO 318 is contained in a draft DAO titled "Implementing Rules and Regulations of Executive Order No. 318 of 2004". The DAO has nine articles with 35 sections covering the six guiding principles stipulated in EO 318.

Based on the policy formulation process, it is high time for Government to adopt the DAO on the IRR of EO 318 considering that there are many policies and programs being implemented in

support of SFM in the country. The draft DAO identifies relevant policies, programs, and strategies that need to be implemented to attain SFM in the country. The draft DAO consolidates and integrates all these ongoing and proposed policies and programs that should be implemented to attain SFM. The implementation of the DAO will serve as indicator that the policies and programs of the forestry sector are leading towards SFM.

Thus, it is recommended that the draft DAO on the Implementing Rules and Regulations of Executive Order No. 318 of 2004, "Promoting Sustainable Forest Management in the Philippines" be immediately adopted and implemented. In the event that it is not adopted, it is recommended that the government considers the review and implementation of various policies, programs, and strategies identified in the draft DAO to address the many issues and concerns raised in the stakeholder consultations.

ACKNOWLEDGMENT

The project was conducted with financial support from the Food and Agriculture Organization of the United Nations under the Forest Law Enforcement, Governance and Trade (FAO-EU-FLEGT) Programme. It was done in partnership with the members of the Technical Working Group (TWG) composed of representatives from the different bureaus and offices of the DENR – FMB, ERDB, BMB, DENR Policy and Planning Service, EMB, MGB, NAMRIA and RBCO and other agencies and organizations such as FPRDI, CFIP, HOR Committee on Environment and Natural Resources, NCIP, League of Municipalities of the Philippines, UPLB-CFNR, NTFP-EP, PWPA, National Federation of CBFM-POs in the Philippines, Haribon Foundation, Inc., and the SFFI.

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