

INSTITUTIONALIZATION OF THE MULTI-SECTORAL FOREST PROTECTION COMMITTEES WITHIN THE DENR SYSTEM

DENR ADMINISTRATIVE ORDER NO. 17, S. 1995, May 20, 1995

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Pursuant to the directive of President Fidel V. Ramos to the DENR Secretary dated July 13, 1994 on the need to strengthen the capability of, and to institutionalize the Multi-Sectoral Forest Protection Committees (MFPCs) nationwide, and considering the successes of the MFPCs under the ENR-SECAL Program as effective partners of the DENR in forest protection, this Administrative Order on MFPC Institutionalization is hereby issued.

SECTION 1. Objectives -

- a) To institutionalize the operations of MFPCs within the DENR system; and
- b) To provide funding and staff support for strengthened MFPC operations.

SECTION 2. The Multi-Sectoral Forest Protection Committee (MFPC) - As the name implies, a Multi-Sectoral Forest Protection Committee is composed of representatives from various sectors of the community such as other government agencies (OGAs) and non-governmental organizations (NGOs) and institutions who come and join together to be partners in the government's forest protection efforts. The MFPCs shall:

- a) Serve as a collection point for information on illegal forestry activities;
- b) Regularly receive and discuss reports from DENR specific to routine and special monitoring, apprehension and prosecutorial activities;
- c) Advise DENR and other relevant parties on these activities;
- d) Publicize the committee's discussions and findings, except where treated as confidential;
- e) Directly oversee the public awareness and other alternative livelihood programs; and
- f) Mobilize the members' network in support of forest protection activities.

SECTION 3. Selection of MFPC Members -

a) Who Can Become Members

Any government organization, non-government organization and individual committee to the cause of forest and environmental protection, forest law enforcement and monitoring that satisfy the membership selection criteria may become members of the MFPC.

b) Selection Criteria

Membership in any level of the MFPC shall be based on the following criteria:

- Government organizations whose functions are directly related to forest protection and law enforcement, public information and upland livelihood development.

The head of office of the relevant agency or his representative shall represent the organization in the Committee.

- Non-government organizations whose functions are directly related to forest protection, public information and upland livelihood development.

The head of office or his representative shall represent the NGO in the Committee.

- Individuals who are of high standing in the community who are committed to support the DENR's forest protection, public information and livelihood development programs.

c) Number of Members

The MFPC membership shall be limited in number so that they remain manageable. ENR-SECAL experiences indicate that MFPC membership is effective at 15-25 members per committee.

SECTION 4. Creation of MFPCs in all Regions, Provinces, Cities and Municipalities - To institutionalize the MFPCs in the DENR system, DENR Regional Executive Directors shall establish at least a Regional MFPC in 1995. Thereafter, MFPCs may be established in towns and cities using the priority criteria set by the DENR Regional Management Committee.

To ensure that the MFPC process of consultation, selection, orientation, training and operationalization, as experienced in the ENR-SECAL Project Management Office (ENR-SECAL PMO), the Special Concerns Office (SCO), and the National Forestation Development Office (NFDO) shall conduct the necessary orientation and training in MFPC creations.

SECTION 5. Creation and Institutionalization of MFPC Technical Working Groups (TWGs) in the Regional and Provincial Levels - To provide backstaff support to the MFPCs that will be created, MFPC Technical Working Groups (TWGs) in the Regional and Provincial levels are hereby created.

a) Composition

RENRO MFPC TWG

Head: Chief, Forest Resources and Conservation Division

Members: - Representative - Legal

- Representative - ISF Division

- Representative - Regional Public Affairs Office

- Representative - Planning Division

PENRO MFPC TWG

Head: Forestry Specialist

Members: ISF Officer

Information Unit

Forest Protection Unit Planning

Each TWG shall be supported by a full time Secretary and Computer Operator. The MFPC TWG shall coordinate MFPC meetings, prepare minutes, resolutions, store and process data and, in general, ensure that MFPC activities are attended to. TWGs may also be created for municipal, community and barangay MFPCs. To ensure and facilitate coordination between DENR and MFPC members, all REDs, PENROs, and CENROs after their MFPCs shall have been established are hereby instructed to provide MFPC desks in their respective offices. Said desks shall be manned by the MFPC TWG Secretary who shall assist the MFPC members whenever the latter are working in the DENR offices.

b) Functions

The Technical Working Group shall have the following functions:

- 1) Provide technical, legal and other required support services to MFPCs;
- 2) Coordinate and facilitate implementation of MFPC activities; and
- 3) Follow-up resolutions, requests, reports and perform other pertinent action so desired by the MFPCs.

c) Training

The ENR-SECAL PMO, the SCO and NFDO shall conduct the necessary orientation training/workshops to the MFPC TWGs.

SECTION 6. Levels Of MFPC - The different levels of MFPCs and their functions are:

a) National MFPC Federation (NMFPC Fed)

- Participate in the review of forest and environmental laws and policies, recommend amendments/modifications to the same, and advise the DENR Secretary on matters pertaining to forest protection;
- Participate in the periodic performance evaluation of DENR units involved in forest management;
- Assist the field MFPCs in information and education campaigns on forest protection, enforcement of forestry laws and prosecution of violators thereof, and in the strengthening of field MFPCs;
- Assist DENR in the generation of and in prioritization of alternative livelihood programs for people affected by forest protection campaigns;
- Formulate general guidelines for the organization of MFPCs and accredit MFPCs that will be formed;
- Harmonize the resolutions of the different MFPCs and ensure prompt action on them; and
- In general, assist DENR in conducting a sustained national forest protection campaign towards sustainable development.

b) Regional MFPC (RMFPC)

- Serve as the collection point for information on illegal forestry activities, tapping the independent networks to which its members belong;
- Regularly receive and discuss reports from DENR in its routine and special monitoring, apprehension and prosecutorial activities;
- Advise DENR and other relevant parties on the above activities;
- Publicize the committee's discussions and findings, except where treated as confidential;

- Directly oversee the public awareness and alternative livelihood programs;
- Mobilize members' networks in support of forest protection activities; and
- Assist in the work of the provincial MFPCs.

c) Provincial MFPC (PMFPC)

- Serve as a collection point for information on illegal forestry activities, tapping the independent networks to which its members belong;
- Regularly receive and discuss reports from DENR in its routine and special monitoring, apprehension and prosecutorial activities;
- Advise DENR and other relevant parties on the above activities;
- Publicize the committee's discussions and findings, except where treated as confidential;
- Act as a special monitoring arm for the Provincial Environment and Natural Resources Office;
- Except for the DENR representative, all other members shall act as deputy forest officers with powers to apprehend violators of forest laws and regulations and confiscate illegal forest products;
- Serve as a link between the Regional and Community MFPCs;
- Mobilize members' networks in support of forest protection activities;
- Assist in the public awareness program of the PENRO; and
- Serve as link between target communities and donors, in the development and implementation of livelihood activities in the uplands.

d) Community/Municipal/Barangay/MFPC

- Serve as a collection point for information on illegal forestry activities, tapping the independent networks to which its members belong;
- Except for the DENR representative, all other members shall act as deputy forest officers with powers to apprehend violators of forest laws and regulations and confiscate illegal forest products;
- Act as a special monitoring arm for the CENRO;
- Act as the CENRO's partner in the implementation of DENR's public awareness program;
- Participate directly in the identification, formulation and implementation of livelihood programs for upland communities;
- Mobilize members' networks in support of forest protection activities; and
- Publicize the committee's discussions and findings except where treated as confidential.

SECTION 7. MFPC Accreditation - To ensure unified, coordinated and harmonized MFPC operations, all Regional, Provincial, Municipal, City and Barangay MFPCs formed after October 28, 1994, shall be endorsed for accreditation and recognition by the National MFPC Federation to the DENR Secretary following the herein procedures on MFPC formation and accreditation:

1)

CENRO/PENRO/RENRO forming the MFPC has undergone orientation/training on MFPC formation.

2)

Selection criteria for choosing MFPC members followed;

3)

Consultative Meetings with prospective members on MFPC formation conducted;

4)

Commitment of potential members to join and actively support the MFPC taken;

5)

Formal MFPC organization conducted;

6)

Memorandum of Agreement creating the MFPC signed; and

7)

Election of Committee Officers conducted.

Once the above steps have been undertaken, the CENRO or PENRO, as the case may be, shall endorse said MFPC to the RENRO, who will in turn endorse the MFPC to the NMFPC Federation.

Once the MFPC Federation is satisfied that the new MFPC will be an asset to forest protection, it will recommend to the Secretary of DENR the formal accreditation and recognition of the new MFPC.

The DENR Secretary shall then issue the necessary Special Order formally accrediting and accepting the new MFPC.

SECTION 8. National MFPC Coordinating Group (NMFPC-CG) - In order to expedite and monitor institutionalization of the MFPCs and to bring forth a unified and directed leadership in the DENR Central Office, the National MFPC Coordinating Group (NMFPC-CG) with its National Technical Working Group/Secretariat (NTWG) created through Special Order No. 477, Series of 1994 and amended by Special Order Nos. 1197 and 1521, both Series of 1994, is hereby institutionalized.

a) NMFPC-CG Membership

Chairman : Director, SCO

Co-Chairman : Director, FMB

Vice-Chairman : Director, NFDO

Members : Director, ENR-SECAL Program

Director, DENR-Legal Service

Director, DENR Field Operations Control Center

Assistant Director, FMB

Assistant Director, SCO

Division Chief, FMB-ISF

Division Chief, FMB Reforestation

Representative, DENR Planning, Policy and Management Office

b) Functions

- Recommend policies and guidelines for the effective operation of the MFPCs to higher governing body of MFPC and/or the Secretary of DENR;
- Develop and implement strategies for improved forest extension and communication (IEC) needs of MFPC's and NGO's concerned;
- Recommend to the Secretary and operationalize approved strategies for effective forestry law enforcement (i.e. utilizing elements of the Armed Forces, granting of rewards to informants, mobilizing communities for forest protection, etc.);
- Plan out courses of action for securing resources to support MFPC activities;
- Provide technical, legal and other required support services to MFPC's to carry out effectively their mandates through active representation and liaison with appropriate offices, entities, and other government instrumentalities;
- Establish linkages with institutions/organizations for the transfer of technologies on livelihood that are compatible with forest protection;
- Coordinate MFPC activities through unhampered flow of communications and linkages between the NMFPC-CG, the MFPC TWGs and the MFPCs at all levels;
- Submit periodic and annual reports on the progress of the programs of MFPC's to the Secretary;
- Determine and prepare budgetary requirements and operational programs of MFPCs and facilitate implementation at all levels;
- Act on resolutions, requests, reports and perform all other pertinent actions so desired by the MFPCs at all levels;
- Conduct national conferences, workshops, symposia, etc. of all MFPCs in locations and schedules deemed so appropriate to the needs of the MFPCs;
- Attend regular meetings of MFPCs at all levels to foster closer relationship of MFPC members and maximize the presence and transparency of the DENR to the MFPCs in particular and to the community in general; and
- Work for the institutionalization of MFPC at the earliest possible time.

SECTION 9. Monitoring by the MFPCs of Forest Licenses, Leases, and Permits - Social acceptability and natural resources sustainability shall guide DENR in the evaluation of applications for new and renewal of forest licenses, leases and permits. Toward this end, and upon prior written request, MFPC members may sit as observers in the evaluation of applications for new and renewal of forest licenses, leases and permits. Be that as it may, MFPCs shall be furnished copies of approved forest licenses, leases and permits for monitoring purposes.

SECTION 10. Designation of MFPCs as Members of Multi-Sectoral Investigation Teams with Regard to Violations of ENR Laws, Rules and Regulations - MFPC members shall be appointed as Deputized Environment and Natural Resources Officers (DENROs) and shall be given the necessary training. MFPC members, where available, shall form part of the Multi-Sectoral Investigation Teams in cases pertaining to investigations of violations of Environment and Natural Resources laws, rules and regulations.

SECTION 11. Involvement of MFPCs in the Disposition of Confiscated Illegal Forest Products - DENR Field Officers are hereby instructed to include MFPC members in the DENR Working Group that will evaluate and recommend the disposition of confiscated illegal forest products consistent with existing policies on the matter.

SECTION 12. MFPC Funding - The RENRO, PENRO and CENRO Offices shall provide the necessary funding for MFPC activities subject to accounting rules and regulations.

To augment monitoring funds of MFPCs, DENR field offices, with the assistance of the MFPCs are hereby directed to coordinate with local government units in their respective areas so that said LGUs can provide MFPCs with additional funds for monitoring activities out of the share of the LGUs from the national wealth or from other fund sources as may be deemed appropriate by the LGUs.

DENR field offices shall likewise encourage and support MFPCs to conduct fund raising activities, the proceeds of which shall be used by the MFPCs for their various forest protection activities.

SECTION 13. Authority of the Undersecretary for Field Operations and Programs to Issue Additional Guidelines - The Undersecretary for Field Operations and Programs with the recommendation of the National MFPC Coordinating Group is hereby authorized to issue additional guidelines as may be deemed necessary to make MFPC operations strong, effective and sustainable.

The National MFPC Coordinating Group shall coordinate with the ENR-SECAL Project Management Office, the NFDO and the Finance Management Office for the provision of funds of MFPC activities.

SECTION 14. Repealing Clause - All Administrative Orders Circulars, Memoranda and other issuances inconsistent herewith are hereby repealed or modified accordingly.

SECTION 15. Effectivity - This Order shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines. The Records Officer of DENR is hereby directed to file three (3) certified copies hereof with the University of the Philippines Law Center pursuant to Section 3(1), Chapter 2, Book VII of the Administrative Code of 1987.

Adopted: 20 May 1995

(SGD.) ANGEL C. ALCALA
Secretary

Recommended by:

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Undersecretary

ENR Programs and Operations

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