

## nfp UPDATE - information as of 2004

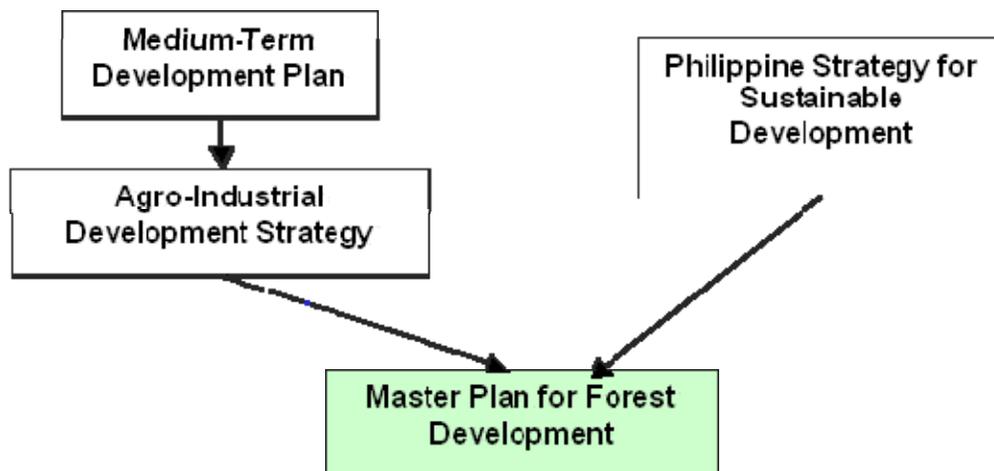
### Nfp process

This section brings a brief chronology of the nfp process, from its early phases to the latest developments. Details are given on the mechanisms, procedures and structures put in place to advance the implementation of the nfp, as well as on the main issues constraining its progress. A final overview on the forthcoming actions and activities closes the section.

### **Chronology of the nfp process**

The main forestry planning process of the Philippines is encapsulated by the Master Plan for Forestry Development (MPFD), adopted in 1990 with an intended duration of 25 years. An element of the national Medium Term Development Plan (Figure), the MPFD is a nationwide plan which is implemented with some flexibility at regional level through the regional forestry development plan.

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General goals of the MPFD are:-

- equitable access for all Filipinos to opportunities to develop and manage the forest and partake of benefits derived from it;
- scientific management, conservation and utilization of forest resources by a mix of managers from the private and the local communities in partnership with the government;
- in appropriate ways and on a sustainable basis, satisfaction of the needs of the people for forest-based commodities, services and amenities.

The cost of the MPFD was estimated at \$US 76 billion over the 25 year period.

Of the 15 sub-programmes in the MPFD, those recently receiving particular emphasis have been:

**Community Based Forest Management (part of the Integrated Social Forestry Programme)** : CBFM is seen as the means of achieving sustainable forest management and to date the programme as been very successful. Allowable in all forest lands and in some zones within protected areas, CBFM grants useage of forest and resources to community groups for a duration of 25 years (renewable for an additional 25). By June 1999, over 4000 sites covering some 5 million ha had been established nationwide, under the supervision and management of about

355,000 upland and coastal families (approximately 2 million people). This has saved the government an estimated 127 million pesos each year in forest production and management costs. CBFM requires strong partnerships between DENR and Local Government Units (LGUs) to facilitate the creation of CBFM areas. CBFM has been overseen by the Community-Based Forest Management Office within the Forest Management Bureau of the DENR

**Biodiversity Conservation (IPAS) Programme:** With the help of international support, eighteen major protected areas and biodiversity conservation areas have been brought under active management and protection.

**National Forestation Programme:** An umbrella programme for all reforestation efforts, this component seeks to establish forest plantations for wood production and to rehabilitate denuded land in priority watersheds. The program has been implemented both through public initiatives such as regular reforestation projects and through support to private sector projects ( the **Industrial Forest Management Programme**). In the years to 1997, some 1.4 million ha of plantation had been established under the MPFD. Despite these successes, more remains to be done to streamline policies and provide adequate incentives for plantation establishment.

Including the above, the MPFD encompasses a total of 15 programmes in three main thematic areas:-

- Man and the Environment Programmes;
- Forest Management and Products Development Programmes;
- Institutional Development Programmes.

These are expanded further in Table 1, below

Table 1: Components of the Master Plan for Forest Development

<b><i>Man and the Environment</i></b>				
<b>People Oriented Forestry</b>	<b>Soil Conservation and Watershed Management</b>	<b>Integrated Protected Area System (IPAS) and Biodiversity Conservation</b>	<b>Urban Forestry</b>	<b>Forest Protection</b>
Integrated Social Forestry	Watershed Management	IPAS delineation	Urban forest and nature parks	Strengthening DENR capacity for forest protection
Community Based Forest Management	Assisted Natural Regeneration	Bufferzone management	Greenbelt development	Policy and legislative reform
Contract Reforestation with Forest Land Management Agreement (FLMA)	Range Management	Protected areas management	Grounds landscaping	Public information
Ancestral Land	Soil Conservation in Forestry Operations	Biodiversity conservation in forestry operations		Integration of forest protection in forest management

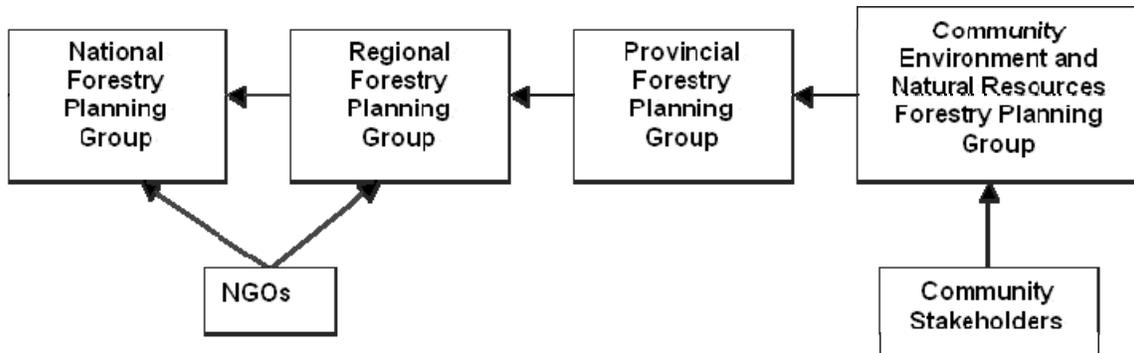
Management				
Wood Production in Alienable or Disposable Lands				
Ngo and Local Government (LGU) Involvement				
<b><i>Forest Management and Development</i></b>				
<b>Management of Natural Dipterocarp Forests</b>	<b>Mangement of Mangrove, Pines and Other Natural Forests</b>	<b>Forest Plantation and Tree Farms</b>	<b>Wood-based Industries</b>	<b>Nonwood Forest Based Industries</b>
Establishment of permanent dipterocarp estates	Establishment of permanent forest estates	Contract reforestation	Development of favorable business environment	Rattan and bamboo based industries development
Enhancing the productivity of dipterocarps	Management of pines, mangrove and other natural forests	Industrial forest plantation development	Rationalisation	Medicinal plants, Resins, gums and essential oils industries development
Practice of sustainable forest management systems	Pine and mangrove plantation establishment	Community based forest plantations	Provision of new technologies	
		Agroforestry plantations	Promotion of further processing and downstream industries	
			Development of community-based wood processing industries	
			Establishment of a timber board	
<b><i>Institutional Development</i></b>				

<b>Policy and Legislation</b>	<b>Organization, human resources, infrastructures and facilities</b>	<b>Research and development</b>	<b>Education, training and extension</b>	<b>Monitoring and Evaluation</b>
Develop policy and legal framework  Update laws and regulations on forestry	Transformation of DENR into an extension and development organization  Facilitating mobility of personnel and communications	Manpower development  Improvement of facilities and equipment  Research programmes	Strengthening forestry education  Strengthening manpower training  Strengthening extension and communications	M & E of the different programs by measuring progress, effects and impacts of the program on intended beneficiaries

### **Mechanisms and procedures**

Implementation of the MPFD is supposed to be overseen by planning groups formed by DENR at the community, provincial, regional and national levels (Figure). In practice, however, these groups are yet to be fully implemented.

#### **Overview of the planning process**



Policy formulation usually takes the form of a series of alternative proposals in response to emerging issues being developed. These proposals usually emanate from the FMB and are recommended to and reviewed by the DENR. In the course of these actions, public hearings are conducted by the DENR through its policy technical working group (PTWG). This group is composed of the heads or representatives of different DENR offices (e.g. planning and policy, legal, field operations) other staff bureaus and other stakeholders. In this forum, stakeholders are given the opportunity to comment on the proposed policies.

Recently, the MPFD has been reviewed and revised to address emerging issues in the forestry sector and problems of implementation of the plan to date.

In February 2000, ADB hosted the First Philippine Forestry Forum on the Philippines Master Plan for Forest Development. The Forum developed a proposed action agenda, which called for the Government and all other stakeholders to re-evaluate, revise and promote adherence to the Philippine Master Plan for Forest Development, strongly taking into consideration the following :

- The need for strong partnership with the upland communities, the business communities, the indigenous peoples, the civil society, scientific community and other major stakeholders;
- The need for a strong technical and professional human resources development program;
- The need to strengthen research and development in the forestry sector;
- The need to enhance information and education campaign (IEC) programs to achieve greater participation of all stakeholders;
- The need to consider biodiversity, watershed and ecosystems approach to planning;
- The need to consider gender and women issues;
- The need to consider the marginalized sector in the uplands;
- The need to consider the significance of forestry to food security and medical industry;
- The need for proper accounting of forest goods and services;
- The need to link with international partners and comply with international protocols; and
- The need for a continuous forest resources assessment and monitoring and a reliable database.

Follow up actions related to these recommendations are listed under future actions. Donor support to MPFD revision is discussed further under FAO and Other Support, below.

## Main constraints

Constraints to the successful implementation of the FSMP include:

- **Lack of data/information** that are vital to resource planning and decision making.
- **Lack of funds** to implement various MPFD program components at central level, regional budgeting not taking account of Regional Plans
- **Weak human resource skills**, especially in the field offices, to implement forestry programs and projects and to provide for effective devolution and decentralisation of authority. Additionally, community groups have received insufficient training to enable them to manage their forests effectively
- **Weak enforcement** of forestry laws and regulations.
- The **National Forestry Planning Group (NFPG)** with Regional and field level counterparts has not been properly implemented
- MPFD implementation has been affected by **changes in DENR leadership**
- There remain **policy and regulation conflicts** relating to harvesting and Community Based Forest Management. Other legislative provisions have not been implemented.
- Requirements under CBFM have been **too technically complex** for people's organizations to understand
- Insufficient **monitoring and evaluation** of ongoing programmes to easily gauge their success or failure

## Future actions

Future policy reform proposed under the Philippine Forest Policy 2001 includes:

A basic forestry code that will repeal and replace the existing Revised Forestry Code of the Philippines (P.D. 705, as amended) entitled "**Sustainable Forestry Development Act**".

An administrative order adopting the WEM (**Watershed Eco-system Management**) framework and the PFP 2001 as implementing guidelines.

An administrative order re: preparation of a **comprehensive manual of procedures for forest management planning** using the watershed and ecosystem management framework.

A joint memorandum circular with other concerned government departments and offices and the private sector re: **development of 25-year physical framework plans for major river basins in the Philippines.**

Amendment to the rules and regulations governing the implementation of the **CBFM** program.

Amendment to the existing policy in the issuance of **Private Land Timber Permit** and **Special Private Land Timber Permits.**

Revision of the existing policy on the regulation of **forest tree seed production**, collection and seed disposition.

Amending, redefining and expanding some **delegated functions and authorities to regional and field officers** to increase efficiency in the implementation of the CBFM program based on the WEM approach.

Amendment of the existing policy to reconstitute the decentralized function of the **Ecosystem Research and Development Bureau (ERDB)** of the DENR into a strengthened central forest research institution to provide scientific and technological support for national policy and program planning, implementation and monitoring.

Amendment of an existing policy re: **strengthening the capacity and capability of the Human Resource and Development Service** of DENR to develop and maintain personnel resources in sufficient numbers and qualification to operate DENR's forestry programs and projects effectively.

Amendment of existing policy re: **unification of all IEC and extension functions** and strengthen integrated IEC-Central Office programs and projects.

Amend, streamline and simplify the existing **performance monitoring system** for DENR programs and projects.

Use of **resource economics** issues, recommendations and discussions as bases of proposals for new policy, administrative orders, and circulars.

Institutionalization of **the Environmental and Natural Resources Accounting (ENRA)** at all levels particularly at the provincial LGU and Sustainable Development Unit levels.

## **Forest policy**

The national forest policy and their main achievements are hereby pointed out, together with the draft or official policy statement, when available. Two specific sub-sections on forest tenure and financial issues provide a more complete vision on the socio-economic context influencing the forest policy.

## **Main achievements**

The Philippine Constitution of 1987 contains the following provisions relevant to forestry:-

*¿The state shall protect and advance the right of the people to a balanced and healthful ecology in accordance with the rhythm and harmony of nature¿ (Article II, section 16);*

*¿All lands of public domain, water, mineral coals, petroleum and other mineral oils, all forms of potential energy, fisheries, forests and other natural resources are owned by the State. The exploration, development and utilization of natural resources shall be under the full control and supervision of the State¿ (Article XII, Section 2) ; and*

*¿The congress shall, as soon as possible, determine by law the specific limits of forest lands and national parks, marking clearly their boundaries on the ground. Thereafter, such forest lands and national parks shall be conserved*

*and may not be increased or diminished; except by law, the congress shall provide, for any such period as it may determine measures to prohibit logging in endangered forests and watershed areas.* ¿ (Article XII, Section 4).

Forest management in the Philippines is governed by Presidential Decree No 705, otherwise known as the ¿Revised Forestry Code of the Philippines¿. Issued on May 19, 1975, P.D 705, specifically Section 2, outlines the policies of the state in the management of forest resources as follows:

The multiple use of forest lands shall be oriented to the development and progress requirements of the country, the advancement of science and technology and the public welfare;

Land classification and survey shall be systematized and hastened

The establishment of wood processing plants shall be encouraged and rationalized.

The protection, development and rehabilitation of forest lands shall be emphasized so as to ensure their continuity in productive condition

## **Forest, trees and land tenure**

The **Government of the Philippines** retains title to all forest land (by decree)

The **Community Based Forest Management Agreement (CBFMA)** entitles forest communities to use and develop the forest for a duration of 25 years, renewable to 50 years.

In upland areas, occupancy is legitimised through issuance of **Certificates of Stewardship Contracts (CSC)** which grant a 25 year tenure, renewable to 50 years. The grantees can receive assistance in agroforestry development and are encouraged to plant trees on at least 20% of the land they occupy.

Licences to exploit natural forest are covered by 25 year **Timber Lease Agreements**, designed to encourage greater compliance with the requirements of the licence. These terms include the requirement to replant some areas in trees following harvest for a subsequent crop from the land.

**Certificates of Ancestral Land** confer significant administrative and management rights to the grantees.

## **Institutions**

This section presents an overview on the main forestry and forest-related public bodies operating at the national and local level. Details on the decentralization processes and structures are also provided, when available. A special sub-section on the major national and sub-national stakeholders outside the public sector completes the picture.

## **Other stakeholders**

**BANTAY-DENR** is a coalition of 54 environmental and indigenous people's organizations which lobby the DENR to promote pro-people and pro-environment initiatives. The coalition monitors and reviews DENR programmes and policies

The main forestry laws and regulations, either enacted or under development, are listed and shortly presented. Details are given on other significant legal instruments pertaining to sectors having a bear on forestry, such as agriculture and environment. A complete list of legal papers from the joint ECOLEX database is provided.

## **Forestry legislation**

The **Philippine Constitution** of 1987 particularly Article II, Sec. 16, Article XII, Sec.1-6 and Article XIII identified the environment and natural resources as among the major concerns of the government. Forest management in the country is governed by Presidential Decree No. 705, as amended, otherwise known as the "**Revised Forestry Code**

**of the Philippines".** This forestry code outlines the policies of the State in the management of the forest and its resources.

The latest revision of the Forestry Code (the **¿Sustainable Forestry Development Act"**). is still pending in Congress due to the unresolved issue of the total logging ban as against selective logging.

The National Integrated Protected Area System Act (NIPAS Act) of 1992 governs the creation and management of protected areas, and the Indigenous People Rights Act (IPRA Law) acknowledges claim to ancestral land ownership. Executive Order No. 263 (E.O 263) outlines the rules for **Community-Based Forest Management (CBFM)**.

### **Other relevant legislation**

The **National Integrated Protected Area System Act** (NIPAS Act) of 1992 governs the creation and management of protected areas, and the **Indigenous People Rights Act** (IPRA Law) acknowledges claim to ancestral land ownership. DENR Administrative Order No 2, 1993, outlines rules for the identification and administration of **Ancestral Land and Domain Claims**. Certification confers occupation and administration rights on the ancestral group, who can then benefit from resource utilization.

The **Comprehensive Agrarian Reform Law** Of 1988 and subsequent amendments were introduced to recognize the rights of landless farmers to claim ownership of the land that they work.

Edited A. Alba – April 2008