



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

TO : The Assistant Directors
Biodiversity Management Bureau
Ecosystems Research and Development Bureau
Environmental Management Bureau
Forest Management Bureau
Land Management Bureau
Mines and Geosciences Bureau
The Chief, Policy and Program Division,
National Water Resources Board
Representative, River Basin Control Office
Representative, Legal Affairs Service
Representative, Office of the Undersecretary for Field
Operations – Luzon, Visayas and Environment
Representative, Office of the Undersecretary for Field
Operations – Mindanao

FROM : The OIC Director
Policy and Planning Service

SUBJECT: **HIGHLIGHTS OF THE LEVELLING-OFF MEETING ON THE
CODIFICATION OF ENVIRONMENT AND NATURAL
RESOURCES (ENR) LAWS (PHASE 1) HELD ON 11 AUGUST
2023, 9:30 AM AT THE OASPPFASP CONFERENCE ROOM, 5TH
FLOOR, DENR BLDG.**

DATE : **22 AUG 2023**

This refers to the Levelling-Off Meeting on the Codification of ENR Laws (Phase 1), held on 11 August 2023, 9:30 AM at the OASPPFASP Conference Room. The meeting was presided over by the Chief, Policy Studies Division, and participated in by all the members of the TWG for Codification and the representatives of the Center for Environmental Law and Policy Advocacy Inc. (CELPA), the consulting firm procured for the project.

Attendees:

Office	Representative
BMB	Asst. Dir. Armida P. Andres Mr. Jobert John Bandol
EMB	Ms. Fatima E. Millan
ERDB	Asst. Dir. Conrado B. Marquez

FMB	For. Dianne Lanugan
LMB	Atty. Marlou P. Alutaya Ms. Jo Aleen Nicole Ortega
MGB	Ms. Ronaline Albalos
NWRB	Mr. Dino Manalo Engr. Snoofey E. Cabag-iran
RBCO	Jea Robelo
LAS	Atty. Mark Gregory Maquiraya Atty. Miguel Paolo Adalem
OUFOLVE	Ms. Maria Angela Tamoria
OUFOM	Atty. Primo Carlo Saraos
PPS	For. Llarina S. Mojica Ms. Mary Lou Retos For. Amisol B. Talania Ms. Cherry Winsom F. Holgado Ms. Nim Hydee M. Eusebio For. Emma Liwliwa S. Baradi-Medina For. Kelsie Miniano For. Jezreelyn Milar Ms. Anna Michelle I. Lim
CELPA	Atty. Roberto V. Oliva Dr. Florentino O. Tesoro Ms. Dana Marie M. Joseph Mr. Jumar Penuliar Atty. Erwin L. Tiamson Atty. Althea E. Acas

Discussions:

- It was clarified that the project may go beyond this year or until January of next year since the Notice to Proceed (NTP) was only issued on 31 July 2023.
- It was also clarified the enumeration of laws for review that was presented is only a guide for the initial policies that will be covered. The review may also include laws outside the DENR, as well as cross-cutting laws, such as the following: Tourism Act; Fisheries Code, as amended; Executive Order (EO) No. 533 re Adoption of Integrated Coastal Management (ICM); Access and Benefit Sharing under the Nagoya Protocol; Agricultural laws on animal industry; IPRA Law; policies on Reclamation; Presidential Decree (PD) No. 1152 of the Philippines Environmental Code; Extended Producers Responsibility (EPR) Act; Philippine Climate Change Act; Integrated Coastal Management or the ICM Bill; Peatlands Bill; the National Land Use Bill, among others.
- Atty. Oliva remarked that their consultations with the sectors will focus on the identification of the provisions of ENR laws that are not working, the delimiting factors, policy gaps, and that they will come up with

recommendations not only on environmental laws but also on administrative regulations.

- Atty. Oliva requested clarification regarding the level of the draft updated sectoral laws that will be submitted. Specifically, he asked whether the deliverable may only cover indicative proposals or recommendations. Mr. Manuel D. Gerochi, the PSD Technical Consultant, clarified and stressed that CELPA is expected to submit codified sectoral laws focusing on resource management. The administrative policies will not be covered. The first phase of the project will focus on the updating of the sectors' basic laws and the introduction of new provisions not covered by the basic laws, while the second phase will be the integration of all the sectoral codes. There are gaps in policies which necessitate the introduction of new provisions.
- Atty. Tiamson pointed out that the codification will be problematic on account of the length of the text involved, particularly on the environment. For ENR, the law is simple since the institutional boundaries are clear but the Implementing Rules and Regulations are complicated. The issue will be on the grey areas/conflicting areas, e.g., cadastral survey in forestry, final forest line. According to him, the final forest line is smooth but the Cadastral Map is a jagged line. While the DENR has a One Control Map, it is not similar to the Cadastral Map, which is a legal instrument relied upon by everyone. It is also limited to the DENR. The issue is on the integration of all sectors, which have their respective agenda. The DENR is connected structurally by EO No. 192 and operationally by DAO issuances. Operationally, the DAOs connect the sectors, but these are also limited by laws. Another issue is on the Environment Sector which cuts across sectors and is complicated. He suggested that the Environment Sector could be in a separate book.
- Atty. Acas remarked that the first phase would cover the compilation of all these laws while the second phase would be the integration and addressing of conflicts and gaps.
- The PPS reiterated that the expected final outputs are bills/sectoral codes focusing on resource management, e.g., Land Resource Management Code, Forest Resource Management Code, etc. It was also clarified that the institutional structures will not be revised. On the query of Atty. Acas whether land classification, land use, and dispute resolution will be included, the PPS responded that dispute resolution is not included since the codes will only cover the basic policies of the sectors. Moreover, on the query of Atty. Oliva whether access, use and prohibited acts are included in the codification, it was clarified that prohibited acts and penalties will have their own provisions in the code.

- For. Mojica recommended consideration of the thrusts of the Secretary in the review and crafting of updated sectoral laws. She suggested that CELPA come up with an initial outline for clearance with the management.
- On the scheduling of coordination meetings between CELPA and the sectors, Asst. Dir. Andres informed that they will not be available on the 3rd to 4th week of August. Instead, she suggested that the coordination meeting with CELPA be held on 19 September 2023. Ms. Mary Lou Retos informed that the conduct of coordination meetings will include the sector, PSD sectoral focal and the PPS Technical Consultant.
- The Bureaus and NWRB were requested to submit to PSD their proposed schedule for the coordination meeting with CELPA. The offices concerned were also requested to provide their contact details to PSD, for ease of coordination. It was suggested that a monthly meeting be conducted with CELPA for the monitoring of activities or developments in the project.

Way Forward:

1. CELPA will submit its Inception Report to PPS by 3rd to 4th week of August 2023;
2. Bureaus and NWRB will submit to PSD as soon as possible their available schedule for the coordination meeting with CELPA;
3. PSD will provide CELPA with the contact details of the Bureaus and NWRB and the schedule of the sectors;
4. CELPA will coordinate with and conduct focus group discussions (FGDs) with the sectors. The FGDs will include the PSD sectoral focals and the PPS Technical Consultant; and
5. A monthly meeting will be held by the DENR-TWG with CELPA to monitor/track the developments of the project.

For information.


CHERYL LOISE T. LEAL

PHOTO DOCUMENTATION

