



DEPARTMENT OF
ENVIRONMENT AND
NATURAL RESOURCES

DENR-DOJ JOINT
SPECIAL ORDER
No. 1335
Series of 1993

OCT 15 1993

SUBJECT : CREATION OF THE NATIONAL STEERING TEAM (NST)

In the interest of the service and pursuant to the Memorandum of Agreement entered into by and between the Department of Environment and Natural Resources (DENR) and the Department of Justice (DOJ) on 11 May 1993, dealing with the creation of Task Force on Environment and Natural Resources (TF-ENR), the National Steering Team is hereby created to be composed of the following:

DOJ representative	- USEC Ramon Esguerra or authorized representative
DENR representative	- ASEC Romulo San Juan
NGO representative	- Atty. Antonio Oposa


The NST shall:

1. Activate, supervise and manage, in coordination with the Regional Task Force, the national prosecutorial effort of the Government in matters related to forestry and environmental laws;
2. Screen and recommend potential deputized Special Counsels, for designation as such by the DENR Secretary;
3. Keep active and current the list of members of the TF-ENR of the DOJ.

The team shall directly report to the Secretaries of DOJ and DENR.

This Order shall take effect immediately.


FRANKLIN M. DRILON
Secretary, DOJ


ANGEL C. ALCALA
Secretary, DENR

MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

117 This Memorandum of Agreement executed and entered into this day of May 1993 at Makati, Philippines, by and between:

The DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, with office address at Visayas Avenue, Diliman, Quezon City, herein represented by Secretary Angel C. Alcala, hereinafter referred to as the DENR;

- and -

The DEPARTMENT OF JUSTICE, with office address at Padre Faura St., Manila, herein represented by its Secretary Franklin M. Drilon, hereinafter referred to as DOJ.

WITNESSETH:

WHEREAS, the continuing degradation of the remaining forests of the Philippines has reached critical proportions, and unless abated, will result in irreparable and irreversible damage within the next decades;

WHEREAS, the loss of forest cover has manifested to all and sundry the wanton destruction that has resulted to the loss of human life, water salinity and scarcity, and a host of other ecological malfunctionings;

WHEREAS, there is a need to intensify the campaign against illegal logging, other forestry law violations, and other environmental offenses;

WHEREAS, it is the mandate of the DENR, pursuant to Presidential Decree No. 705 as amended, Presidential Decree No. 1151, Executive Order No. 277 and Executive Order No. 192 to create, develop and improve conditions under which man and nature can thrive in productive and enjoyable harmony with each other as well as to fulfill the social, economic and other requirements of present and future generations of Filipinos;

WHEREAS, the DOJ, being the prosecutorial arm of the Government, is committed to assist and fully cooperate with the DENR in the protection, preservation and conservation of the priceless forest and natural ecosystems that are found in the Philippines and which constitute a national and natural heritage of the Filipino people;



WHEREAS, the DENR and the DOJ recognize the need for enlisting the assistance of the private sector in the challenge of expeditiously and effectively prosecuting forestry and environmental law violations;

WHEREAS, the Philippine Government, through the DENR -- fully aware that the next five to six years is the only remaining final window of opportunity to save the country's remaining forest cover -- has launched a last-ditch but massive and comprehensive forest protection program;

WHEREAS, there is a need to update, modify, and revise the Memorandum of Agreement entered into by and between the same Parties on 29 August 1990 with the end view of streamlining the operations and strengthening the same;

NOW, THEREFORE, in consideration of the foregoing premises, the Parties hereby mutually enter into this covenant as follows:

1. Task Force on Environment and Natural Resources (TF-ENR)

The present Task Force on Illegal Logging is hereby expanded and transformed into the Task Force on Environment and Natural Resources.

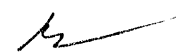
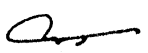
2. Designation of Regional State Prosecutors

DOJ Memorandum Circular dated 13 November 1990 designated Regional State Prosecutors to compose the Task Force on Environment and Natural Resources (then Task Force on Illegal Logging). The Regional State Prosecutor and the Regional Directors of the DENR for Forestry or for Environmental Management and the Protected Area Sector (EMPAS) shall compose the respective Regional Task Forces (RTF) in the regions in coordination with the Task Force Katarungan of the Department of Justice.

The Regional Task Forces shall choose from among the Regional Directors of the DENR and DOJ who shall act as the Chair and Co-Chair of the Task Force and shall choose from among their respective personnel the members of the RTFs.

3. Assistance by the DENR

The DENR shall, as much as feasible, endeavor to extend the appropriate logistical support to the DOJ in the investigation and prosecution of forestry and environmental law cases.



4. NBI Task Force on Environmental Enforcement (STF-EE)

A Special Task Force on Environmental Enforcement (STF-EE) in the National Bureau of Investigation (NBI) is hereby created to assist in the vigorous investigation, enforcement and prosecution of the country's forestry and environmental laws.

5. Deputization of Special Counsels

Special Counsels may be designated by the Secretary of the DENR, or his duly authorized representative, chosen from among qualified members of the bar, to assist in the prosecution of violations of forestry and environmental laws.

These Special Counsels are, however, not duly authorized to perform inquest or preliminary investigations. The prosecution of forestry and environmental laws by the deputized Special Counsels shall at all times remain under the direction and control of the City, Provincial or State Prosecutor, as the case may be.

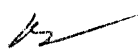
6. National Steering Team

There shall be created a National Steering Team (NST) composed of three members: one representative from the Department of Justice, one from the Department of Environment and Natural Resources (DENR) and one from the private non-government organization (NGO) sector. The principal function of the NST shall be to activate, supervise and manage, in coordination with the RTFs, the national prosecutorial effort of the Government in matters related to forestry and environmental laws.

The NST shall directly report to the Secretaries of the DOJ and DENR. The NST shall likewise screen and recommend potential deputized Special Counsels, for designation as such by the Secretary of the DENR. The NST shall keep active and current the list of the members of the Task Force on Environment and Natural Resources (TF-ENR) of the Department of Justice.

7. Assistance by Other Governmental and Non-Governmental Agencies

The DOJ and DENR shall closely coordinate with and secure the assistance of the other concerned governmental agencies such as, but not limited to, the Office of the Solicitor General (OSG), the Philippine National Police, the Armed Forces of the Philippines, as well as with private



volunteer organizations in order to effectively achieve the goals and aspirations embodied in the preambular provisions of this Agreement.

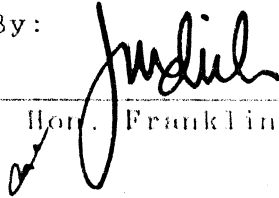
8. Effectivity

This Memorandum of Agreement shall take effect immediately upon the execution hereof by the Parties. Termination hereof shall be by written notice by one party to the other at least 30 days from its intended effectivity.

DEPARTMENT OF JUSTICE

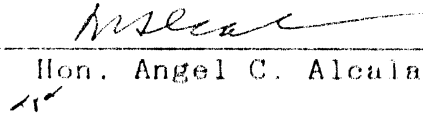
DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES

By:



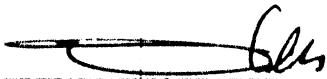
Hon. Franklin M. Drilon

By:

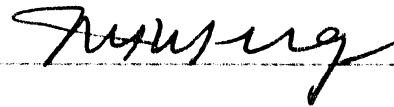


Hon. Angel C. Alcala

With the Participation and
Signed in the presence of:



Epimaco Velasco



REPUBLIC OF THE PHILIPPINES
Municipality of Makati

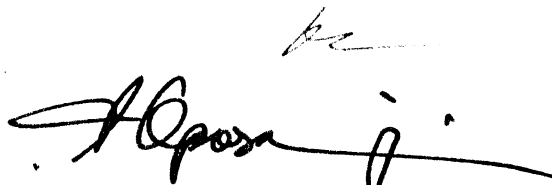
ACKNOWLEDGMENT

Before me, a Notary Public for and in the Municipality of Makati, on the 11th day of May, 1993 personally appeared:

	Res. Cert.	Issued on	At
Hon. Franklin M. Drilon	<u>17651279</u>	<u>March 1, 1993</u>	<u>Makati</u>
Hon. Angel C. Alcala	<u>9465541</u>	<u>Jan. 12, 1993</u>	<u>Quezon City</u>

and who acknowledged to me that they are the parties in this Memorandum of Agreement, and that the same is their free act and deed and that of the parties they represent.

IN WITNESS WHEREOF, I have hereunto affixed my signature on the date and place above-written.


ANTONIO A. OPOSA, JR.
NOTARY PUBLIC
UNTIL DECEMBER 31, 1994
PTR NO. 9974898, JAN. 22, 1993
MAKATI, METRO MANILA

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