

**DENR Memorandum Circular  
No. 01  
January 18, 1994**

**SUBJECT : Guidelines for the Prosecution of Illegal Logging  
and Related Cases**

In line with the present policy of the DENR to vigorously prosecute illegal logging and related cases pursuant to its mandate as the primary government agency responsible for the conservation of the country's environment and natural resources, and in accordance with DENR Special Order No. 1580, Series of 1993 creating a Special Prosecution Task Force codenamed "Task Force T AGA-USIG", the following guidelines in the prosecution of illegal logging and related cases are hereby promulgated,:

**Sec. 1 Responsibility for Prosecution** - As a general policy, the prosecution of illegal logging and related cases shall be the primary responsibility of the Regional Offices, through their Legal Officers, subject to the supervision and control of the Assistant Secretary for Legal Affairs. In this connection, the Regional Legal Officers shall actively collaborate with the City/Provincial Prosecutors in the various regions designated to compose the Special Task Force on Environment and Natural Resources pursuant to Department Order No. 205 dated June 17, 1993 of the Department of Justice.

However, with respect to high-profile cases as determined in accordance with this Circular, they shall be directly referred to the Office of the Assistant Secretary for Legal Affairs at the DENR Central Office for prosecution assistance.

**Sec. 2 Criteria for Determination of High-Profile Cases** – Illegal logging and related cases to be referred to the DENR Central Office for prosecution shall be chosen on the basis of the following criteria:

Factor	Weight
Value of confiscation forest products / conveyances/equipment	25%
Reputation of alleged offender(s)	25%

Difficulty of case due to complexity/ novelty of legal/factual issue(s)	25%
Importance of the case as determined by the DENR	25%
Total	<hr/> 100%

**Sec. 3 Procedure for Referral of Cases** - Referral of illegal logging and related cases to the DENR Central Office shall subscribe to the following procedures:

- a) The Regional Executive Directors (REDs) shall be primarily responsible for referring cases to the Central Office for prosecution.
- b) For each case to be referred for prosecution assistance, a Case-Referral Rating Sheet shall be accomplished by the Chief, Legal Division of the Region concerned duly concurred by the RED. Only cases with a rating of at least 60% shall be considered for assistance.
- c) Thereafter, the RED shall forward the duly-accomplished Case-Referral Rating Sheet with an appropriate covering memorandum addressed to the Secretary, Attention: Assistant Secretary for Legal Affairs, together with the draft of the complaint including the case file/folder containing complete and legible copies of all affidavits and documents pertinent to the case.
- d) Upon receipt, the Assistant Secretary for Legal Affairs shall immediately determine whether the case merits assistance by the Central Office. Thereafter, he shall assign the case to any member of Task Force TAGA-USIG or to the ENR-SECAL Special Prosecution Team.
- e) The above procedures shall not, however, preclude the Secretary or the Undersecretary for Field Operations from referring cases directly to Task

Force TAGA-USIG or to the ENR-SECAL Special Prosecution Team, taking into account the approved criteria, among others, if in their opinion the national interest so warrants.

- f) As a general rule, all prosecutors assigned to handle illegal logging and related cases shall submit to the Assistant Secretary for Legal Affairs after-hearing reports as soon as they return from attending the hearing of such cases.

**Sec. 4 Reporting of Cases** - The Assistant Secretary for Legal Affairs shall submit to the Secretary, copy furnished the Undersecretary for Field Operations quarterly status report, to be prepared by the Team Leader of Task Force TAGA-USIG, within the first seven (7) days of the succeeding quarter of all high profile cases referred to the DENR Central Office for assistance.

Likewise, all REDs shall submit to the Secretary, through the Undersecretary for Field Operations and the Assistant Secretary for Legal Affairs, quarterly status report of all illegal logging and related cases being handled by the Region, within the said period, to be prepared by the Chief, Legal Division, using the same format.

**Sec. 5 Repealing Clause** - This Circular repeals, revokes or supersedes DENR Memorandum Circular No. 8, Series of 1993, otherwise known as "Guidelines for Referral of Illegal Logging Cases to the ENR-SECAL Special Prosecution Team".

**Sec. 6 Effectivity** - This Circular takes effect immediately.

**ANGEL C. ALCALA**  
Secretary

**Recommending Approval:**

**BEN S. MALAYANG III**  
Undersecretary for Field Operations