

EXECUTIVE ORDERS

Executive Order
No. 240
April 28, 1995

SUBJECT : Creating Fisheries and Aquatic Resource Management Councils (FARMCs) in Barangays, Cities and Municipalities, Their Compositions and Functions

WHEREAS, it is a declared policy of the state to ensure that management and control over fisheries and aquatic resources shall be effected by the government through the active and extensive participation of the people directly affected thereby;

WHEREAS, the subsistence fisherfolks have been seeking the enhancement of their empowerment through meaningful participation in the management, development and protection of fisheries and aquatic resources for sustainable productivity;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law do hereby order:

Section 1. Creation of FARMCs. To institutionalize the major role of the local fisherfolks and other resource users in the community-based planning and implementation of policies and programs for the management, conservation, development and protection of fisheries and aquatic resources of the municipal waters as defined by the Local Government Code there is hereby created FARMCs in all barangays, municipalities and cities abutting municipal waters. In bays, gulfs, lakes, rivers and dams bounded by two or more barangays or municipalities/cities, Integrated FARMCs shall be created.

Sec. 2. Regular Member. At least 3/4 of the regular members of the Fisheries and Aquatic Resources Management Councils, hereinafter referred to as FARMCs, shall be representatives of the local municipal fisherfolk.

Sec. 3. Functions. The FARMCs shall have among their primary functions the following:

- a. Prepare and recommend the fisheries and aquatic resources management policies and plans for integration into the Local Development Plan. Such policies and plans should be based on sound assessment and bio-economic characteristics of the resources.

- b. Recommend to the local government units and special agencies referred to in Section 7 guidelines on the development and implementation of projects, and issuance of permits and licenses for the appropriate use of fisheries and aquatic resources, and to ensure that resource use limits and controls are imposed. Such guidelines may include the evaluation of all projects and applications by FARMCs prior to the approval of appropriate offices.

Sec. 4. Technical Assistance. The Department of Agriculture (DA), Department of Environment and Natural Resources (DENR), Department of Interior and Local Government (DILG), Department of Justice (DOJ), Commission on Human Rights (CHR), and other Government agencies are instructed to extend technical assistance to FARMCs.

Sec. 5. Law Enforcement. The PNP-Maricom, the Philippine Coast Guard and/or other law enforcement agencies are hereby instructed to take the lead in the enforcement of environmental laws in collaboration and coordination with the FARMCs.

Sec. 6. Deputation of FARMC Members. The members of the FARMCs shall undergo training and be deputized as fish wardens, and environment and natural resources officers. The appropriate government units are hereby instructed to issue deputation papers to the FARMC members and officers.

Sec. 7. Special Agencies. Government agencies or offices having jurisdiction over municipal waters by virtue of special laws such as, but not limited to, the Laguna Lake Development Authority shall integrate the plans formulated by the FARMCs into their agency/corporate policies and plans of operation for implementation.

Sec. 8. Implementation. The Department of Agriculture, jointly with the Department of Interior and Local Government, the special agencies referred to in Section 7, and representatives of fisherfolk organizations are hereby directed to prepare the implementing guidelines and ensure the implementation of this Executive Order.

Sec. 9. Appropriations. There is hereby appropriated at least Five Million Pesos (P 5,000,000) from the Fisheries Sector Program of the Department of Agriculture (DA) for the implementation of this Executive Order.

Sec. 10. Effectivity. This Order shall take effect immediately.

FIDEL V. RAMOS
President of the Philippines

By the President:

TEOFISTO T. GUINGONA
Executive Secretary

Executive Order
No. 247
May 18, 1995

SUBJECT : Prescribing Guidelines and Establishing a Regulatory Framework for the Prospecting of Biological and Genetic Resources, Their By-Products and Derivatives, for Scientific and Commercial Purposes and for Other Purposes

WHEREAS, Section 16, Article II of the Philippine Constitution, vests in the State the ultimate responsibility to preserve and protect the environment; and Section 2, Article XII, provides that wildlife, flora and fauna, among others, are owned by the State and the disposition, development and utilization thereof are under its full control and supervision;

WHEREAS, it is in the interest of the State's conservation efforts to ensure that the research, collection, and use of species, genes and their products be regulated; and to identify and recognize the rights of indigenous cultural communities and other Philippine communities to their traditional knowledge and practices when this information is directly and indirectly put to commercial use;

WHEREAS, under Article XVI of the Convention on Biological Diversity of which the Philippines is a party, each contracting party is mandated to take legislative, administrative or policy measures, as appropriate, with the aim that contracting parties, in particular those that are developing countries, which provide genetic resources are provided access to and transfer of technology which makes use of those resources, on mutually agreed terms, including technology protected by patents and other intellectual property rights;

WHEREAS, the Department of Environment and Natural Resources (DENR) is the primary government agency responsible for the conservation, management, development, and sustainable use of the country's environment and natural resources; the Department of Science and Technology (DOST), the primary agency mandated to promote local capability in science and technology to achieve technological self-reliance in selected areas vital to national development; the Department of Agriculture (DA), the agency responsible for the promotion of sustainable agriculture and aquatic resource development; the Department of Health (DOH), the agency responsible for the formulation, planning, implementation, and coordination of policies and programs in the field of health, including the research, regulations, and development of drugs and medicine; the Department of Foreign Affairs (DFA), the agency responsible for promoting international relations;

WHEREAS, an inter-agency approach is the most appropriate way of regulating the research, collection, exploitation and use of biological and genetic resources;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Law and the Constitution, do hereby order:

Section 1. Policy of the State. It shall be the policy of the State to regulate the prospecting of biological and genetic resources so that these resources are protected and conserved, are developed and put to the sustainable use and benefit of the national interest. Further, it shall promote the development of local capability in science and technology to achieve technological self-reliance in selected areas.

Section 2. Consent of Indigenous Cultural Communities.

- a. Prospecting of biological and genetic resources shall be allowed within the ancestral lands and domains of indigenous cultural communities only with the prior informed consent of such communities; obtained in accordance with the customary laws of the concerned community.
- b. Prospecting of biological and genetic resources shall be allowed only with the prior informed consent of the concerned local communities.

Section 3. When Research Agreement Is Necessary. The prospecting of biological and genetic resources shall be allowed when the person, entity or corporation, foreign or domestic, undertaking such activities on recommendation of the Inter-Agency Committee on Biological and Genetic Resources, has entered into a Research Agreement with the Philippine government, represented by the DENR, DOH, DA, or DOST, depending on the nature and character of the prospecting activity. For purposes of this Executive Order, traditional uses of biological resources by indigenous and local communities shall not require a Research Agreement.

If the research and collection of biological and genetic resources is intended, directly or indirectly, for commercial purposes, the agreement must be a Commercial Research Agreement. For purposes of this Executive Order, all Research Agreements with private persons and corporations, including all agreements with foreign or international entities, shall conform with the minimum requirements of a Commercial Research Agreement.

If the prospecting of biological and genetic materials is intended primarily for academic purposes, the agreement shall be an Academic Research Agreement. Only duly-recognized Philippine universities and academic institutions, domestic governmental entities, and intergovernmental entities may apply for an Academic Research Agreement.

Where the Commercial or Academic Collector is merely an agent or merely collecting for another person or entity, the agreement between the Commercial Collector and the Principal must be reviewed by the Inter-Agency Body to determine the latter agreement does not undermine the substantive requirements of this Executive Order.

Section 4. Application for Academic Research Agreement and Commercial Research Agreement. The applicant shall first submit an application for a Research Agreement to the Inter-Agency Committee on Biological and Genetic Resources through the Protected Areas and Wildlife Bureau (PAWB). It must include a research proposal stating the purpose, source of funds, duration, and a list of biological and genetic materials and the amount to be taken. The requisites for research agreements are in Appendix B.

For Academic Research Agreements, the proposal may be broader and more general in character as provided in Section 5 (m).

A copy of the proposal must be submitted to the recognized head of the local or indigenous cultural community or communities that may be affected. Action on the proposal shall be made only after 60 days has lapsed after a copy of the proposal is received by the persons concerned.

Section 5. Minimum Terms of the Commercial Research Agreement and Academic Research Agreement. The Minimum Terms of the Commercial Research Agreement and Academic Research Agreement are as follows:

- (a) There must be a limit on samples that the Commercial/ Academic Collector may obtain and export and that the approved list and amount of the samples taken from the area must be followed strictly;
- (b) A complete set of all specimens collected shall be deposited by the Commercial/Academic Collector with the National Museum or a duly designated governmental entity;
- (c) Access to collected specimens and relevant data shall be allowed to all Filipino citizens and the Philippine governmental entities

whenever these specimens are deposited in depositories abroad;

- (d) The Commercial/Academic Collector, or in appropriate cases, its Principal, must inform the Philippine Government, as well as the affected local and indigenous cultural communities all discoveries from the activity conducted in the Philippines, if a commercial product is derived from such activity;
- (e) The agreement shall include a provision for the payment of royalties to the National Government, local or indigenous cultural community and individual person or designated beneficiary in case commercial use is derived from the biological and genetic resources taken. Where appropriate and applicable, other forms of compensation may be negotiated;
- (f) There shall be a provision allowing the Philippine government to unilaterally terminate the agreement whenever the Commercial/Academic Collector has violated any of its terms. The Agreement may also be revoked on the basis of public interest and welfare;
- (g) A status report of the research and the ecological state of the area and/or species concerned shall be submitted to the Inter-Agency Committee regularly as agreed upon;
- (h) If the Commercial Collector or its Principal is a foreign person or entity, it must be stipulated that scientists who are citizens of the Philippines must be actively involved in the research and collection process and, where applicable and appropriate as determined by the Inter-Agency Committee, in the technological development of a product derived from the biological and/or genetic resources taken from any area in the Philippines. This involvement shall be at the cost of the Commercial Collector;
- (i) The Commercial Collector and/or its Principal shall be encouraged to avail of the services of Philippine universities and academic institutions. Where applicable and appropriate, the Commercial Collector and/or its Principal shall be required to transfer equipment to a Philippine institution or entity;
- (j) A fixed fee must be paid to the DENR in accordance with a schedule of fees formulated by the Inter-Agency Committee;
- (k) The maximum term for a Commercial Research Agreement shall be

for three years and renewable upon review by the Inter-Agency Committee, and

- (l) In case of endemic species, there must be a statement that the technology must be made available to a designated Philippine institution and can be used commercially and locally without paying royalty to a Collector or Principal; **Provided, however,** that where appropriate and applicable, other agreements may be negotiated; **Provided, further,** that the following terms shall be considered in an Academic Research Agreement;
- (m) The Academic Research Agreement may be comprehensive in scope and cover as many areas as may be projected. It may stipulate that all scientists and researchers affiliated with a duly-recognized university, academic institution, governmental and intergovernmental entity need not apply for a different Research Agreement but may conduct research and collection activities in accordance with an existing Academic Research Agreement. In such cases, the university, academic institution and governmental entity shall ensure that all the terms and conditions of the government are complied with by the affiliated scientist or researcher. In all cases, the university institution or governmental entity must ensure that affected communities have given their prior informed consent to the activities to be undertaken;
- (n) There must be a provision requiring the Academic Collector to apply for a commercial research agreement when it becomes clear that the research and collection being done has commercial prospects.
- (o) A minimal fee must be paid to the Philippine government in accordance with a schedule of fees by the Inter-Agency Committee.

Section 6. Composition and Functions of the Inter-Agency Committee on Biological and Genetic Resources. An Inter-Agency Committee on Biological and Genetic Resources attached to the DENR is hereby created as the regulatory body to ensure that the provisions of this Executive Order are enforced and implemented. The Inter-Agency Committee shall be composed of the following:

1. An Undersecretary of the Department of Environment and Natural Resources designated by the DENR Secretary who shall be the Chairperson of the Committee.
2. An Undersecretary of the Department of Science and Technology (DOST)

designated by the DOST Secretary who shall be Co-Chairperson of the Committee.

3. A permanent representative of the Secretary of the Department of Agriculture, who must be knowledgeable about biodiversity or biotechnology.
4. Two permanent representatives of the Philippine science community from the academe and who must be experts in any of the following fields: biodiversity, biotechnology, genetics, natural products chemistry or similar disciplines, shall be appointed by the DOST Secretary after nominations from and consultations with the science community.
5. A permanent representative of the Secretary of the Department of Health who must be knowledgeable about pharmaceutical research and development.
6. A permanent representative of the Department of Foreign Affairs who has to facilitate international linkage relative to bioprospecting.
7. A permanent representative of the National Museum who has expertise on natural history and/or biological diversity.
8. A representative from a Non-Government Organization (NGO) active in biodiversity protection to be selected by the NGO community through a process designed by themselves and later endorsed by the Philippine Council for Sustainable Development.
9. A representative from a People's Organization (PO) with membership consisting of indigenous cultural communities and/or their organizations to be selected by the PO community through a process designed by themselves and through the endorsement of the Philippine Council for Sustainable Development.

All members of the Inter-Agency Committee shall serve for a period of three years which may be renewed for another three years. In case of death, resignation, removal or other circumstances which requires the replacement of a member, said member may be succeeded by another person with the same qualifications and appointed in a similar process. The replacement shall serve the unexpired term of the member replaced.

A Technical Secretariat, to be headed by the PAWB, shall be created to support the work of the Inter-Agency Committee. The Technical Secretariat shall

be staffed with personnel from the PAWB and other agencies who shall be designated by the members of the Inter-Agency Committee.

Section 7. Powers and Functions of the Inter-Agency Committee.

The Inter-Agency Committee shall meet at least every quarter and shall have the following functions:

- (a) Process applications for Research Agreements and recommend for approval thereof to the Secretary of DENR, DOH, DA or DOST depending on the nature and character of the prospecting activity;
- (b) Ensure that the conditions for the Research Agreements are strictly observed;
- (c) Determine the list and amount of biological and genetic materials that may be taken from the area and ensure that these are complied with;
- (d) Deputize and train appropriate agencies so as to ensure that no biological and genetic materials are taken from the Philippines and exported abroad except under a valid Research Agreement. It shall also be ensured that the specimens collected have been deposited in the Philippines;
- (e) Ensure that the rights of the indigenous and local communities wherein the collection or researches are being conducted are protected, including the verification that the consent requirements in Sections 3 and 4 are complied with. The Inter-Agency Committee, after consultations with the affected sectors, shall formulate and issue guidelines implementing the provision on prior informed consent;
- (f) Study and recommend to the President and the Congress appropriate laws on the utilization of biological and genetic resources including new laws on intellectual property rights;
- (g) Involve local scientists in the decision making process by creating a Multi-Disciplinary Advisory Body and other entities as may facilitate local involvement in the research, collection and utilization of biological and genetic resources;
- (h) Develop a conceptual framework, using the research agreements entered into as well as other data as basis, for significantly increasing

knowledge of Philippine biodiversity. The Inter-Agency Committee shall establish mechanisms to ensure the integration and dissemination of the information generated from research, collection and utilization activities;

- (i) Coordinate with the National Committee on Biosafety when necessary or appropriate;
- (j) Issue rules and regulations to effectively carry out the provisions of this Executive Order; and
- (k) Perform such other functions as may be necessary to implement this Executive Order.

All decisions of the Inter-Agency Committee must be by a majority of all its members.

Section 8. Monitoring Implementation of the Research Agreement. The Protected Areas and Wildlife Bureau (PAWB) of the DENR shall be the lead agency in monitoring the implementation of the research agreement. The regional offices of the DENR shall also participate in the monitoring.

Section 9. Appeals. Decisions of the Secretary (DENR, DA, DOH or DOST) may be appealed to the Office of the President. Recourse to the courts shall be allowed after exhaustion of all administrative remedies.

Section 10. Sanctions and Penalties. Undertaking activities in violation of this Executive Order shall be subject to such criminal penalties as may be proper under existing laws including the National Integrated Protected Areas System Act of 1992 and the Revised Forestry Code. Failure to comply with the provisions of the Research Agreement and the imposition of a perpetual ban on undertaking prospecting of biological and genetic resources in the Philippines.

Section 11. Existing Researches, Contracts and Agreements. All existing research projects, where allowed under existing law, may proceed pending the negotiation and entry into force of appropriate research agreement. All valid and existing contracts and agreements entered into by the PAWB, the National Museum or other governmental entities shall remain valid and effective; **Provided**, that the parties shall be required to enter into a new agreement conforming to this Executive Order.

Section 12. Official Depository. The official depository of all original and official documents such as agreements and minutes of the meeting is the PAWB.

Section 13. Funding. The activities of the Inter-Agency Committee on Biological and Genetic Resources shall be funded in accordance with law. Such funding, where allowed by law, may include savings coming from the appropriate and concerned Departments and proceeds from the fees imposed on the Research Agreements.

Section 14. Effectivity. This Executive Order and Rules and Regulations takes effect immediately upon publication in two newspapers of general circulation and upon filing of three certified copies with the U.P. Law Center.

Section 15. Implementing Rules and Regulations. The implementing rules and regulations shall be formulated by the Inter-Agency Committee and signed by the Secretary of DENR not later than three months after the effectivity of the Executive Order.

FIDEL V. RAMOS
President

By the President:

TEOFISTO T. GUINGONA, JR.
Executive Secretary

**Executive Order
No. 259
July 11, 1995**

SUBJECT : Further Amending Executive Order Nos. 175 Dated April 30, 1994, as amended by Executive Order No. 223 Dated February 7, 1995 and Executive Order No. 229 Dated March 19, 1995, Which Created a Northwestern Luzon Growth Quadrangle Commission

I, **FIDEL V. RAMOS**, President of the Philippines, by virtue of the powers vested in me by law, do hereby order the amendment of Executive Order No. 175 dated April 30, 1994 as amended by Executive Order No. 223 dated February 7, 1995 and Executive Order No. 229 dated March 19, 1995, as follows:

The First WHEREAS Clause is hereby amended to read as follows:

“WHEREAS, The Medium Term Philippine Development Plan for 1993-1998 has identified the development of the Northwestern Luzon Growth Quadrangle (NWLGO) comprising the provinces of Region 1 and the Baguio-La Trinidad-Itogon-Samblan-Tuba (BLIST) area in Cordillera Administrative Region (CAR) as a component strategy towards agri-industrial development,”

The Third WHEREAS Clause is hereby amended to read as follows:

WHEREAS, the coordinative and management mechanism for the planning, implementation and monitoring of the NWLGQ was already approved by the Regional Development Council (RDC) I and the government’s decentralization and regionalization policy as provided under Executive Order Nos 363 and 505,”

SECTION 1. Section 1 is hereby amended to read as follows:

“Sec. 1. NWLGQ Commission. There is hereby created under the Office of the President, a Presidential Commission to be called the Northwestern Luzon Growth Quadrangle Commission (NWLGO), hereinafter referred to as the Commission. The Commission shall be responsible for the overall policy direction, coordination and supervision of the entire NWLGQ development efforts. It shall be composed of the following members:

Secretary of Trade and Industry
CORDs for Region 1 and CAR
Secretary of Tourism
Secretary of Agriculture

Secretary of Environment and Natural Resources
 Secretary of Transportation and Communication
 Secretary of Public Works and Highways
 Secretary of Energy
 Secretary of Budget and Management
 NEDA Director General
 The Presidential Assistant for Regional Development
 The Chairman of Regional Development Council I
 The Chairman of Cordillera Executive Board
 The Provincial Governor of Ilocos Norte
 The Provincial Governor of Ilocos Sur
 The Provincial Governor of La Union
 The Provincial Governor of Pangasinan
 The Provincial Governor of Benguet
 The City Mayor of Dagupan City
 The City Mayor of Baguio City
 The City Mayor of Laoag City
 The Municipal Mayor of San Fernando, La Union
 The PCCI Chairman of Region I
 The PCCI Chairman of CAR
 The BCDA Chairman
 NGO Regional Federation Representative each for
 Regions I and CAR to be appointed
 by the President
 The Executive Director of the Coordinating Council
 of the Philippine Assistance Program (CCPAP)

The Commission shall be chaired by the CORD for Region I and co-chaired by the Secretary of Trade and Industry and CORD for CAR.

The Commission shall have the following functions:

- a) Review and submit to the President for approval, the NWLGQ Master Plan and Development Program;
- b) Provide overall policy direction, coordination and monitoring of all program/ project components and development activities of the NWLGQ Development Program in consultation and coordination with the Joint RDC-CEB Inter-Regional Consultative Council;
- c) Cause the preparation, update, refinement and endorsement of the NWLGQ plans, investment programs and projects within the context of the NWLGQ Master Plan and the Regional Development and

Physical Framework Plans and Investment Programs of Regions 1 and CAR;

- d) Cause the preparation of feasibility studies for the financing of the various projects identified for the NWLGQ;
- e) Encourage the support and assistance from government and non-government institutions in planning and implementing the various projects under the NWLGQ Development Program;
- f) Organize the Program Management Office (PMO), define its organizational set-up, establish its staffing pattern as well as internal operating systems and procedures;
- g) Review and confirm contracts entered into by the Executive Director of the Program Management Office (PMO);
- h) Review and endorse to the concerned implementing bodies (Central Offices) the annual budget of the North Quad Development Program to ensure that the funding requirements of the North Quad Programs/Projects approved by the RDC will form part of the concerned agencies annual budget;
- i) Review and endorse to the Department of Budget and Management (DBM) the annual budget for the operations of the North Quad Commission/Program Management Office;
- j) Submit to the President regular progress reports on the NWLGQ Development Program and such other reports as may be required;
- k) To accept and manage grants, donations or any such funds for the development of the NWLGQ Program;
- l) To negotiate for development funds to include ODA on a bilateral or multi-lateral basis in accordance with the existing rules and regulations;
- m) To adopt rules, systems and procedures and structures which the Commission may deem fit to carry out its functions;
- n) To mobilize private sector participation as the primary actor for the Quad development;

- o) To conduct advocacy and investment promotion activities.”

Section 2. Section 2, is hereby amended to read as follows:

“Sec. 2. Executive Committee (ExCom). There is hereby created a NWLGQ Executive Committee (ExCom) to supervise its day-to-day operations. The ExCom shall be comprised of not more than one third of the total membership of the fully-constituted Commission. The Commission shall appoint the members of the Chairman of the Commission. The ExCom Chairman shall possess, among others, national and regional stature and perspective. All action/s undertaken by the ExCom shall be confirmed by the Commission proper.

The Executive Committee (ExCom) shall have the following functions:

- a) Evaluate and endorse to the Commission the North Quad Master Plan;
- b) Monitor and submit reports on the progress of the North Quad Development Program (NQDP) and other required reports to the Commission;
- c) Perform functions of the Commission and such other related functions as may be delegated by the Commission proper;
- d) Evaluate and refine the North Quad Master Plan, considering other plans i.e. the Regional Development and Physical Framework Plans, and other plans and inputs of the LGUs, concerned entities and endorse to the Commission for approval and adoption;
- e) Evaluate the annual investment program and annual budget of the NQDP and endorse it to the Commission for approval;
- f) Prepare an action plan for the utilization of funds (grants, donations, etc.) for the development of the NQDP;
- g) Initiate the negotiation for development funds to include ODA on a bilateral or multi-lateral basis;
- h) Review and approve the Terms of Reference (TOR) for the conduct of feasibility studies on projects in the NQDP;
- i) Review/evaluate the feasibility studies on various projects identified for the NQDP;

- j) Endorse/present the feasibility studies to the Commission for adoption/final approval;
- k) Evaluate and approve contracts entered into by the PMO and endorse the same to the Commission for confirmation;
- l) Formulate related policies governing the NQDP in coordinating and monitoring of all program/project components and recommend to the Commission for approval and policy implementation;
- m) Review all progress reports submitted by the PMO and other required reports for submission to the Commission;
- n) Recommend to the Commission the organizational set-up, staffing pattern and internal operating system of the PMO and recruit applicants to the PMO;
- o) Evaluate and endorse to the Commission the annual budget of the PMO, and
- p) Formulate rules, systems and procedures and recommend to the Commission for adoption.”

Section 3. Section 3 is hereby amended to read as follows:

“Sec. 3. Program Management Office. The Program Management Office (PMO) shall serve as the implementing arm as well as technical and administrative secretariat of the Commission and its ExCom and as such, shall undertake the day to day activities of the NWLGQ Development Program. It shall be headed by an Executive Director to be appointed by the President. The DTI and NEDA Offices of Regions I and CAR shall provide technical and secretariat support to the Commission on an interim basis until such time that the staffing pattern for the PMO shall have been determined and approved by the Commission. Fiscal austerity will be observed strictly.

The Program Management Office shall perform the following functions:

- a) Coordinate with implementing bodies including local government units, line agencies, financing institutions, non-government organizations and other concerned entities in the updating, refinement, endorsement and implementation of the NWLGQ Master Plan and investment programs and projects;

- b) Coordinate with the Local Development Councils (LDCs) in the implementation of policy decisions promulgated by the Commission;
- c) Coordinate the preparation of feasibility studies or other related studies of the project components of the NWLGQ Development Program and the evaluation and financing of feasible projects;
- d) Coordinate with the RDC on the preparation of the annual budgetary requirements of the programs/projects of the North Quad Development Program to ensure that the funding requirements of such will form part of the annual budget of the concerned implementing bodies and submit the same to the Commission through the ExCom.
- e) Prepare the annual budget of the Commission for the latter's approval;
- f) Recommend to the ExCom the list of North Quad programs/projects that require funding for the implementation of the same;
- g) Enter into contracts with the proper approval from the ExCom/Commission;
- h) Undertake the day-to-day operations, to include securing the release, transfer, deposit of funds from the proper agency, and administering the funds of the North Quad Development Program, including the disbursements of proper expenses and payables;
- i) Undertake periodic policy implementation review and evaluation of the NWLGQ Development Program and shall, for the purpose, design and operationalize the implementation, monitoring and evaluation system consistent with the Regional Project Monitoring and Evaluation System (RPMES);
- j) Provide research and technical assistance to the Commission and the ExCom;
- k) Provide day-to-day technical assistance to the Commission and the ExCom;
- l) Develop and maintain a comprehensive management information system;

- m) Conduct or coordinate trainings and other capability-building programs on areas of interest which are crucial to the activities of the Commission;
- n) Perform such other functions and responsibilities as the Commission may direct.”

Section 4. Section 4 is hereby amended to read as follows:

“Sec. 4. Role of the Implementing Bodies (National Line Agencies/ Local Government Units, NGOs/PS, GOCCs). National line agencies in the region, government-owned and controlled corporations, local government units, non-government organizations/private sector shall, as appropriate, serve as implementing entities of the Commission for the North Quad Development Program related activities. In cases where national line agencies are designated as lead implementing entity, implementation shall be undertaken in close coordination with the Commission through the PMO and concerned LGUs.”

Section 5. Section 5 is hereby amended to read as follows:

“Sec. 5. Joint Inter-Regional Consultative Council. There is hereby created a Joint Inter-Regional Consultative Council which shall be composed of three (3) representatives from the Regional Development Council (RDC) and a counterpart group from the Cordillera Administrative Region (CAR) to be composed of three (3) representatives of the CEB, and three (3) representatives of Regional Line Agencies (RLAs) from each region whose Heads of Office are members of the NEDA Board all of whom shall be chosen from among themselves. The Joint Inter-Regional Consultative Council shall serve as the Commission’s Inter-Regional Advisory Group.

The Joint Inter-Regional Consultative Council shall have the following functions:

- a) To serve as the Commission’s inter-regional policy formulation group;
- b) to act on problems referred to it by the Commission on matters requiring inter-regional decision.”

Section 6. Section 6 is hereby amended to read as follows:

“Sec. 6 Role of Local Development Councils. The Local Development

Councils of the program area shall perform the following functions:

- a) Approve the respective local components of the multi-year and annual plan and investment programs under the NWLGQ Development Program;
- b) Monitor and conduct periodic review (in accordance with the project program of work) of the local project component with respect to achievement of goals, objectives and targets of the NWLGQ Development Program;
- c) Coordinate and facilitate the preparation of site specific development plans, programs and projects;
- d) Coordinate the passage of municipal and/or provincial resolutions declaring the areas for industrial and tourism use, if not yet declared or classified as such;
- e) Coordinate with the Provincial/Regional Land Use Committees and Sanggunians concerned on the review and approval of the land use and zoning plans of NWLGQ component sites;
- f) Spearhead the coordination of area inter-agency activities within the area/province of jurisdiction on the implementation of the NWLGQ Development Program;
- g) To perform advocacy and consultative role;
- h) Perform such other functions as the PMO may request.”

Section 7. Section 7 is hereby amended to read as follows:

“Sec. 7. Advisory Council. There is hereby created an Advisory Council whose members are Senators and Congressmen from Region 1 and CAR and other concerned Secretaries and private sectors who are not members of the Commission.

Functions of the Advisory Council:

- a) To ensure that the development goals, policies and programs formulated by the Commission are properly coordinated with the overall national goals, policies and programs;
- b) To provide national leadership in the investment promotion of the North Quad Development Program;

- c) To maintain liaison with Congress and central government offices and as necessary, arrange the needed support for North Quad Development Program projects from central agencies, including funding agencies.”

Section 8. Section 8 is hereby amended to read as follows:

“**Sec. 8 Operational Requirements.** Appropriations for the year 1996 and the succeeding years for the operations of the PMO shall be incorporated in the budget of the Office of the President.”

Section 9. Section 9 is hereby amended to read as follows:

“**Sec. 9 The Term of the Commission and the Program Management Office.** The Commission and Program Management Office shall have a term corresponding to the implementation period of the NWLGQ Development Program. The NEDA Board, through its Secretariat, is hereby directed to conduct an annual review and evaluation of the management and coordinating structures of the Commission and the Project Management Office. Recommendations and revisions, if any, shall be submitted to the President for approval not later than the last working day of January of the following year.”

Section 10. Effectivity. This Executive Order shall take effect immediately.

FIDEL V. RAMOS
President

By the President:

RUBEN D. TORRES
Executive Secretary

Executive Order
No. 263
July 19, 1995

SUBJECT : Adopting Community-Based Forest Management as the National Strategy to Ensure the Sustainable Development of the Country's Forestlands Resources and Providing Mechanisms for its Implementation.

WHEREAS, Article II, Section 16 of the 1987 Constitution provides for the protection and advancement of the right of the Filipino people, both men and women, to a healthful and balanced ecology;

WHEREAS, Article II, Section 10 provides for the promotion of social justice to all citizens in all phases of national development;

WHEREAS, Executive Order No. 192, series of 1987, mandates the Department of Environment and Natural Resources (DENR) as the primary government agency responsible for the sustainable management and development of the country's natural resources;

WHEREAS, the Philippines 2000 and the government's Social Reform Agenda support people empowerment and the full, meaningful and indispensable participation of communities as immediate stakeholders of the forestlands resources in the protection and management of the forest ecosystem;

WHEREAS, the 25-year Master Plan for Forestry Development also recognizes the indispensable role of local communities in forest protection, rehabilitation, development and management, and targets the protection, rehabilitation, management, and utilization of at least 4 million hectares of forestlands, through the community-based forest management strategy;

WHEREAS, entrusting the responsibility for forest rehabilitation, protection, and conservation to the community of stakeholders and affording them equitable access to the forest and coastal resources are viable forestland management strategies as borne by the experience of the DENR and various supporting agencies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order that:

Section 1. Community-based forest management (herein referred to as CBFM) shall be the national strategy to achieve sustainable forestry and social justice.

Section 2. The DENR, through its Community and Provincial Environment and Natural Resource Offices, in coordination with the local government units and the Department of Interior and Local Government (DILG) shall, at all times, take into account the needs and aspirations of local communities whose livelihood depends on the forestlands.

Section 3. Participating organized communities may be granted access to the forestland resources under long term tenurial agreements, provided they employ environment-friendly, ecologically-sustainable, and labor-intensive harvesting methods. Such harvesting methods shall be mentioned under a site-specific management plan of each recipient community and duly approved by the DENR.

Section 4. The indigenous peoples may participate in the implementation of CBFM activities in recognition of their rights to their ancestral domains and land rights and claims.

Section 5. A CBFM Steering Committee shall be created immediately and headed by the DENR with members from the Departments of Agriculture, Trade and Industry, Agrarian Reform, Finance, Science and Technology, Labor and Employment, Interior and Local Government, Budget and Management, National Defense and Justice, National Economic Development Authority, Philippine Commission on Countrywide Development under the Office of the President, Committee on Flagship Programs and Projects of the Office of the President, Presidential Management Staff under the Office of the President, Cooperative Development Authority, and Offices of Northern and Southern Cultural Communities. The Committee may invite representatives from the Philippine Chamber of Commerce, Philippine Wood Products Association, NGO coalition groups, and other public and private organizations to become members of the Steering Committee. The Committee shall formulate and develop policy guidelines that will create incentives and conditions necessary to effectively carry out community-based forest management strategy. Accordingly, members of the CBFM Steering Committee should, at least, be represented by concerned Assistant Secretaries or heads of bureaus and agencies.

Section 6. The DENR shall work with local governments, people's organizations (POs), non-government organizations (NGOs), religious groups, business and industry, and other concerned organizations to ensure that communities are empowered to initiate and achieve the objectives of this Order.

Section 7. In the budget preparation, the DENR shall allot adequate funds to effectively accomplish CBFM targets and shall seek supplementary funding from

local and foreign supporting agencies and organizations. DENR shall also ensure the inclusion of budgetary allocation for CBFM in the annual General Appropriations Act, pending the passage of the revised Forestry Code.

Section 8. The DENR shall establish a Community-based Forest Management Special Account (CBFMSA) to support the implementation of the strategy and provide financial and professional incentive system for deserving communities and government personnel.

Section 9. The DENR may source local and international grants and donations for the establishment of the CBFM Special Account. Other sources of fund may later be determined by the CBFM Steering Committee subject to existing government regulations.

Section 10. The DENR shall support and set up jointly with relevant colleges and universities, private and public organizations, arrangements for a community forestry training program for members of participating units, such as people's organizations, non-government organizations, local government units, and other government personnel.

Section 11. Within six months after the signing of this Order, the DENR, in consultation with government financial institutions, such as the Development Bank of the Philippines (DBP), the Land Bank of the Philippines (LBP), GSIS and the SSS, shall effect the creation of favorable financing mechanisms for access by communities and organizations in the pursuit of the CBFM strategy and its sub-strategies such as community training and empowerment, enterprise development, agroforestry development, tree plantations, and other non-forest-based alternative livelihood systems.

Section 12. The DENR Secretary shall issue new rules, regulations, procedures, and guidelines necessary to implement this Order and repeal or modify, existing ones consistent with the policies set forth by the CBFM Steering Committee.

Section 13. The DENR Secretary shall, within six months from the signing of this Order, submit to the Office of the President, a National Comprehensive Community Forestry Action Plan, which embodies the Department's short, medium and long-term plans. The action plan shall be discussed and approved by the CBFM Steering Committee prior to its submission to the President.

Section 14. All previous executive and administrative issuances which are inconsistent herewith are repealed or amended accordingly.

FIDEL V. RAMOS
President

By the President:

RUBEN D. TORRES
Executive Secretary