



Department of Environment and Natural Resources
(DENR)

National Commission on Indigenous Peoples (NCIP)



JUL 08 2008

**DENR-NCIP JOINT ADMINISTRATIVE
ORDER NO. 2008- 01**

SUBJECT: GUIDELINES AND PROCEDURES FOR THE RECOGNITION, DOCUMENTATION, REGISTRATION AND CONFIRMATION OF ALL SUSTAINABLE TRADITIONAL AND INDIGENOUS FOREST RESOURCES MANAGEMENT SYSTEMS AND PRACTICES (STIFRMSP) OF INDIGENOUS CULTURAL COMMUNITIES OR INDIGENOUS PEOPLES IN ANCESTRAL DOMAIN/LAND.

Pursuant to the provisions of the 1987 Constitution, Presidential Decree (PD) No. 705, as amended, Executive Order (EO) No. 192, Series of 1987, Republic Act (RA) No. 8371 or the Indigenous Peoples Rights Act (IPRA) of 1997 and its Implementing Rules and Regulations (NCIP Administrative Order No. 1, Series of 1998, DENR-NCIP Memorandum Circular No. 2003-01, EO No. 318, Series of 2004, in deference to the forest resources management systems and practices of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) that should be recognized, promoted and protected, the guidelines and procedures as provided for in this Order shall be strictly observed.

Section 1. - Policies. In recognition of the inherent right of ICCs/IPs to self-governance and self-determination as well as their contribution in the conservation, management, development of the country's environment and natural resources for the welfare of the present and future Filipino generations, the State shall protect and guarantee their right to pursue their economic, social and cultural well-being not only to ensure equitable sharing of benefits from the bounty of the earth but also to enable them to flourish under a balance and healthful ecology in accord with the rhythm and harmony of nature.

Section 2. - Objectives. - For the effective implementation of this Order, the following objectives shall serve as guides:

2.1. General Objectives: The DENR and NCIP shall:

- a. Jointly undertake the recognition, documentation, registration and confirmation of the Traditional and Indigenous Forest Resources Management Systems and Practices (STIFRMSP) of ICCs/IPs found to be sustainable, which have either been established and/or effectively managed by families, clans and communities as part of their cultural practices and traditions as well as the role of indigenous socio-cultural and socio political institutions in this endeavor;

- b. Adhere to the customary laws and recognize the Indigenous Knowledge Systems and Practices (IKSP) of the ICCs/IPs together with the intellectual property rights thereon, if any, in accordance with the applicable provisions of the IPRA;
- c. Recognize the ICCs/IPs' preferential rights to benefit from the natural resources found within their ancestral lands/domains jointly documented and confirmed pursuant to this Order;
- d. Institutionalize the traditional and culture-driven sustainable forest resources management systems and practices, policies and customary laws of the ICCs/IPs; and
- e. Formulate appropriate policy/ies consistent with the in-depth study and evaluation of the documented STIFRMSP based on their defined culture and existing customary laws/traditions.

2.2. Specific Objectives:

- a. To institutionalize the consultative, collaborative effort and consensus building processes between and among indigenous socio-political institutions including its leadership system, local government units (LGUs), the DENR, the NCIP and other concerned agencies/offices/organizations for the enhancement of appropriate indigenous practices of forest resources management as a mechanism to be effected in the community as a whole;
- b. To strengthen and enhance the applicable/effective sustainable traditional indigenous forest resources management systems and practices that are innovative, as indigenous socio-political catalyst in the implementation of forest management schemes within forest lands;
- c. To adopt the experiences, informative insights gained and lessons learned in the implementation of these sustainable traditional and indigenous forest resources management systems and practices in sparsely or marginalized forests and wherever applicable;
- d. To recognize each sustainable traditional indigenous forest resources management system and practice having the maintenance and enhancement of the watershed areas including its biodiversity as the primary purpose and the personal uses thereof secondary, such as: (1) areas for planting of agricultural crop; (2) source of construction materials for residential homes and other wood products for home use; and (3) areas where to gather forest products on a regulated basis for livelihood and entrepreneurship development; and
- e. To strictly adopt and monitor compliance of resources utilization and impose penalties and sanctions in case of violations thereto in accordance with the respective customary law applicable in the traditional management units and/or community/clan-owned woodlots.

Sec. 3. - Coverage. This Order shall cover and apply to all ICCs/IPs with traditional indigenous forest resources management systems and practices within their ancestral domains/lands, whether it be individual, family, clan and communal.

Sec. 4. - Definition of Terms. The following terms, as used in this Order, shall be understood and defined as follows:

- a. **Ancestral Domain Management Block/Unit** – refers to indigenous cultural communities/area or part thereof, which has the same natural, socio-economic and political conditions that are being governed by one traditional leadership system and practicing a single type of traditional and indigenous forest resources management.
- b. **Indigenous Cultural Communities /Indigenous Peoples (ICCs/IPs)**– refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.
- c. **Indigenous Knowledge Systems and Practices (IKSP)** – refer to systems, institutions, mechanisms and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples, their lands and resource environment, including such spheres of relationships which may cover social, political, cultural, economic, religious spheres, and which are the direct outcome of the indigenous peoples' responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions.
- d. **Customary laws** - refer to a body of written and/or unwritten rules, usages, customs and practices traditionally and continually recognized, accepted and observed by respective ICCs/IPs. Application of these customary laws shall extend to the management of forest and forest resources, the manner of selection in cutting, utilization and harvesting of mature/over-mature/defective trees and other forest resources, the pruning of branches of trees for traditional fuelwood and any other similar practices. Said customary laws shall likewise cover the sanctions/penalties for various prohibited acts that are imposed by the elders/leaders or council of elders/leaders.

- e. **Free and Prior Informed Consent (FPIC)** - refers to the consensus of all members of the ICCs/IPs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community. The FPIC shall be institutionalized, recognized, documented, confirmed and be respected by the DENR, the NCIP, LGUs and all other concerned agencies.
- f. **Sustainable Traditional and Indigenous Forest Resources Management Systems and Practices (STIFRMSP)** - refer to those systems and practices of ICCs/IPs formally recognized, registered and confirmed jointly by the DENR and the NCIP that were duly verified and found to be the sustainable forest management system and practice in the forest/watershed area within the ancestral domain/land of the concerned ICC/IP.

Sec. 5. - Roles and Responsibilities. The following institutions shall have the following roles and responsibilities:

5.1 Department of Environment and Natural Resources (DENR)

- a. The primary agency of the government responsible for the conservation, management, development and the proper use of the country's environment and natural resources as well as the licensing and the regulation thereof in order to ensure equitable sharing of the benefits derived from said resources for the welfare of the present and future Filipino generations alike.
- b. Provide technical assistance to the NCIP Field Office having jurisdiction over areas with ICCs/IPs so as to strengthen existing indigenous leadership systems pertaining to traditional indigenous forest resources management systems and practices;
- c. Provide technical assistance and support based on participatory approach to natural resources management, use, recognition, documentation, registration, confirmation, including the preparation/ formulation of relevant management projects and programs within ICC/IPs' ancestral domain/land in collaboration with the intended beneficiaries/stakeholders and concerned government entities;
- d. Assist in the survey, mapping, on-site characterization, including the conduct of required inventory/accounting of resources as well as the analysis and interpretation of relevant information necessary for the enlightenment of all stakeholders in collaboration with the NCIP, indigenous political structures and other stakeholders in the ancestral domain/land, in accordance with an acceptable/applicable science and the conditions stated by the indigenous leadership system;
- e. Identify and recommend enabling systems/schemes to promote indigenous knowledge/practices as alternative approach and/or management tool in forest ecosystem management;

- f. Identify and recommend acceptable instruments to be issued for natural resources utilization consistent with resource sustainability concept and indigenous traditional resource use;
- g. Advocate doable/sustainable approach in the protection and conservation of natural resources consistent with indigenous knowledge, beliefs, systems and practices; and
- h. Extend technical support in coordination with the NCIP and in collaboration with the indigenous political structures and other stakeholders in the preparation, forging and execution of a Memorandum of Agreement (MOA) among and between stakeholders for the effective implementation of this Order.

5.2 National Commission on Indigenous Peoples (NCIP)

- a. Take the lead role in the strengthening of the indigenous systems of leadership of the ICCs/IPs;
- b. Accept applications for, process and issue Certificates of Ancestral Domain Titles over ancestral domain/land. In cases where a forest reservation overlaps with an ancestral domain/land, the NCIP shall resolve the matter pursuant to Section 7(g) and Section 52(i) as well as other pertinent provisions of RA 8371 or the IPRA of 1997;
- c. Facilitate the formulation of the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) of the ancestral domain concerned, including the area/s overlapped by forest reservations in collaboration/consultation with the DENR, the concerned ICCs/IPs and other stakeholders/agencies including the respective Local Government Units (LGUs);
- d. Help facilitate the resolution of conflicts/disputes in accordance with the ICCs/IPs' customary laws as well as undertake the proper documentation thereof;
- e. Jointly conduct with the DENR, in collaboration with the indigenous political structures and other stakeholders, an inventory/accounting of resources in accordance with acceptable/applicable science and subject to the conditions imposed by the indigenous leadership system;
- f. Undertake continuous documentation of the traditional forest management systems with respect to the Intellectual Property Rights through Free and Informed Consent (FPIC) processes, ADSDPP formulation or Contracts on Benefit-Sharing over forest areas, including the species of flora and fauna therein, and other aspects of their material and spiritual culture pertaining to the biodiversity in the ancestral domain/land; and
- g. Extend technical support and assistance jointly with the DENR in the preparation, forging and execution of a Memorandum of Agreement (MOA) between and among stakeholders for the effective implementation of this Order.

5.3 Indigenous Socio-Political Structures (i.e. Council of Elders/Leaders)

- a. Formalize the traditional leadership system pursuant to customary laws and practices in managing forestlands and the forest resources found therein;
- b. Take the lead role in resolving conflicts/disputes in accordance with their customs and traditions on consensus building within their domain;
- c. Initiate and approve the participatory formulation of community policies relative to the effective management and conservation of forest resources, including the recommendation for the establishment of community/village forests within their territory;
- d. Activate its authority within the community for the implementation of cultural governance towards effective sustainable forest conservation and management; and
- e. Actively support and participate with the DENR, the NCIP and all the LGUs concerned in the preparation and forging of a MOA for the effective implementation of this Order.

Sec. 6. - Recognition of Indigenous and Traditionally Managed Forests Systems and Practices. All existing indigenous and traditionally managed forest systems and practices that were initially and jointly documented and verified by Regional Offices of the DENR and the NCIP to be promoting and practicing forest and biodiversity conservation, forest protection and sensible utilization of the resources found therein based on existing customary laws and duly endorsed by the LGUs concerned through Resolution or Ordinance shall be issued a Joint Confirmation and Recognition Order (JCRO) by the respective DENR-Regional Executive Director (RED) and the NCIP Regional Director (RD).

However, issuance of any utilization permit by the DENR for the resources found therein shall be held in abeyance pending the signing of a Memorandum of Agreement (MOA) between and among the DENR, the NCIP, the ICCs/IPs, socio-political structures and LGUs- Barangay, Municipal and Provincial level, and the formulation and issuance of a Joint Implementing Rules and Regulation (JIRR) between and among the DENR, the NCIP, concerned LGUs and head or duly authorized representative of the concerned ICC/IP for a particular indigenous and traditional forest management system and practice for the operationalization of each Sustainable Traditional and Indigenous Forest Resources Management Systems and Practices (STIFRMSP).

Finally, validly existing resources utilization permits duly issued by the DENR to the ICCs/IPs prior to this Order shall continue to be respected until its expiration or until the allowable volume has been fully consumed or the harvesting in the allowable area has been finished, whichever comes first.

Sec. 7. - Formulation of a MOA and the JIRR. The Memorandum of Agreement (MOA) shall contain, among others, the commitment of all concerned signatories to the sustainable management of the subject forest area and its forest resources, the procedures to be followed in the operationalization

of the traditional and indigenous forest management systems and practices consistent with the traditions and culture therein including the corresponding penalties and sanctions to be imposed for each and every violation to be committed. Said MOA shall also include provisions on the roles and responsibilities of all parties in the documentation of information and/or in the gathering of primary data for the recognition and confirmation of the traditional and indigenous forest management systems and practices.

The output of the joint documentation as well as the stipulations under the MOA shall be used in the formulation of appropriate Joint Implementing Rules and Regulations (JIRR) between and among the DENR, the NCIP, the concerned LGUs and the head or the duly authorized representative of the concerned ICC/IP for a particular traditional and indigenous forest management system and practices as STIFRMSP.

Sec. 8. - Documentation of STIFRMSP. - The documentation of indigenous and traditionally managed forests and the different practices in relation to forest resources management, harvesting and utilization thereof shall be undertaken jointly by the DENR and the NCIP in coordination with the indigenous leadership system, Barangay and Municipal LGUs and other concerned stakeholders. The identification of other concerned stakeholders in the documentation shall be by consensus between and among the DENR, the NCIP, indigenous leadership system and the LGU/s of the area. The documentation process shall focus not on specific barangay levels but on traditional domain management unit/s as a whole and should capture the integrative landscape/ nature of the domain.

The documentation parameters shall include, but not limited to, the following:

8.1 The Ancestral Domain Management Blocks/Units

- a. Location, general description of the area (e.g. topography, accessibility, slope, present of hazard/danger areas; if already identified: soil type and structure, etc.) including the area coverage and boundary of the traditional management unit/block by groups/clans or community;
- b. Area covered by each ICC/IP using particular traditional and indigenous forest management systems and practices including the extent and frequency of how the ICCs/IPs harvest/utilize their trees and other forest resources;
- c. Location Map of the area covered by the traditional domain management unit/block showing the boundaries and adjoining lots;
- d. Present land uses and prevailing vegetative cover status (prevailing vegetation, including the volume, estimated quantity of the forest resources);
- e. Inventory of biodiversity resources in the area and strategies on rewarding upland communities for maintaining their watershed areas, if any;

- f. Known important forest resources in the area (e.g. timber and non-timber, wildlife, etc.) including forest areas with future potential special forest land uses that could generate additional revenue for the community (i.e. eco-tourism site, camp site, etc.);
- g. Nature of trees and other forest resources of the area (whether naturally growing or plantation forest) including, if possible, estimated stand age, common name, and scientific name; and
- h. All other information deemed vital and needed for the comprehensive evaluation of the sustainability of a particular indigenous and traditional forest management practice.

8.2 The Community

- a. Indigenous Political Structures including the ethnic or sectoral composition;
- b. Traditional indigenous resource rights practices;
- c. Approximate population (including the estimated population of the community who are using such particular indigenous and traditional forest management practices);
- d. Common livelihood activities and forest-based activities including the number and nature of the industry/ies making use of the resources from the traditionally managed area of the concerned indigenous people/community; and
- e. Traditional indigenous forest management practices on forest protection and conservation, soil and water conservation measures, reforestation and agro-forestation.

The Regional Offices of the DENR and the NCIP, after consultation with the LGUs concerned and other stakeholders may require additional document/s not herein listed and identified necessary for the determination of the sustainability of the concerned indigenous and traditional practices.

Upon completion of the documentation, the DENR, the NCIP and the respective LGUs shall evaluate all the information/data gathered on the sustainability of the indigenous and traditional practices of the concerned ICC/IP based on the criteria as enumerated in Section 9 hereof. The result of the evaluation shall be presented and validated by the concerned ICC/IP in a consultation process. The indigenous leadership system shall attest to the veracity of the information and thus approve the STIFRMSP's official registration.

However, if the documented information/data as evaluated do not conform to the sustainability criteria for registration, the concerned IP/ICC, the DENR, the NCIP, the LGUs and other stakeholders who participated in the data collection shall set additional rules and conditions which are acceptable to all parties concerned, that will make the present indigenous and traditional practices compliant. The agreements including the additional terms and conditions to be followed by the ICC/IP shall form part and be expressly provided for in the MOA and the JIRR to be formulated for the particular indigenous and traditional forest management practice.

The community, through the indigenous leadership system, shall be the repository of all generated information/data by the DENR and the NCIP including the Minutes of the Consultation process giving rise to the agreement/s between and among the different parties and stakeholders. The Regional Offices of the DENR and the NCIP shall keep a copy thereof for record purposes and if needed, all concerned stakeholders may request and secure their respective copy from the concerned indigenous leadership system.

Sec. 9. Registration. – Registration of the indigenous and traditionally managed forest as a result of the comprehensive evaluation, documentation and consultation activities found to be practicing a sustainable forest resources management system and practice shall be issued with a Joint Implementing Rules and Regulations (JIRR) jointly approved by the DENR, the NCIP and all parties mentioned in Section 6 hereof.

The presence of the following factors/ conditions which in all cases shall be considered in the registration:

- 9.1** The existing Indigenous Forest Resources Management Systems/Practices is promoting forest conservation, protection, utilization and biodiversity conservation;
- 9.2** The basis of the indigenous forest resources management practices shall focus on the maintenance of the watershed system necessary to sustain/maintain the protective and productive functions of the forest through indigenous knowledge approach/practices which will enhance soil and water conservation and biodiversity;
- 9.3** The presence of customary laws, if verified to be within the framework of sustainable forest resources management, which may be written or unwritten rules, regulations, usages, customs and practices traditionally observed, accepted and recognized by the respective ICCs/IPs in the management of forest resources;
- 9.4** The watershed forest management shall be the ecosystem management units and being managed in a holistic, scientific, rights-based, technology-based and community-based manner and observing the principles of multiple use, decentralization and devolution actively participated by the Local Government Units (LGUs) and other concerned agencies with synergism of the economic, ecological, social and cultural objectives, and the rational utilization of all forest resources found therein;
- 9.5** The security of land tenure and land use rights as provided for under the IPRA and other applicable ENR laws, rules and regulations shall be a requirement for sustainable use; and
- 9.6** The current indigenous forest resources management systems/practices can be harmonized with current ENR laws, rules and regulations.

Sec. 10. Resources Management and Sustainability. - Resource management within registered traditionally-managed forests shall be strictly in adherence to the established traditional leadership structure and practices. A

resource management plan shall be prepared and institutionalized relative to the identified ancestral management units/blocks by the community underscoring collective agreements and commitments on natural resource protection, conservation and utilization. However, for purposes of ensuring sustainability and control, any resource utilization set by the communities shall be documented. All concerned entities (DENR, NCIP, and LGU) shall be informed accordingly for purposes of monitoring and transparency. The following principles shall be observed in resources utilization:

- 10.1.** Only those ICCs/IPs with registered STIFRMSP shall be issued with forest resource utilization permit.
- 10.2.** That any resource utilization in the form of timber or non-timber shall be replaced by the user with an equivalent number of tree seedlings or similar customary arrangement, and as imposed by the community in accordance with its policies and sustainable customs and practices;
- 10.3.** That the existing land use as a traditionally managed forest especially for watershed protection shall be regulated and extraction of resources shall be allowed only in areas identified by the community as production site. However, utilization within the areas shall be allowed subject to the provisions of the approved Ancestral Domain Sustainable Development and Protection Plan (ADSDPP);
- 10.4.** The resource extraction shall be in accordance with existing traditional resource rights defined by the community in its indigenous system and practice. All DENR laws, rules and guidelines on resource utilization shall be applicable in a supplementary manner;
- 10.5.** The resources extracted for utilization or to be traded outside the domain/locality by the concerned ICC/IP shall be regulated. The disposition of timber and non-timber products shall be governed by the applicable DENR laws, rules and regulations relative to the requisite shipping/transport documents;
- 10.6.** Resources utilization from naturally grown forests for livelihood projects as carving, handicrafts, manufacturing, etc., shall be regulated and only the allowable volume/number of species needed as raw materials for livelihood projects could be disposed of outside the domain/locality in accordance with existing traditional resource rights and DENR laws, rules and regulations; and
- 10.7.** Resources harvested from the established indigenous forest/forest plantation to be further processed into finished products (i.e. carving, ornamental, handicrafts, novelty items, etc.), shall be allowed to be transported outside the point of origin to any market outlets subject to DENR laws, rules and regulations.

Sec. 11. Capability Building/Enhancement Program. – There shall be a joint capability building/enhancement framework to implement training programs for the Resource Management Technical Group from the DENR, the NCIP, LGUs, other stakeholders and ICCs/IPs in order to ensure sustainability in the adoption of appropriate sustainable traditional indigenous forest resources management systems/practices.

Sec. 12. Management Strategies and Conservation Measures. In order to sustain and enhance the indigenous forest resources management systems, identified Indigenous Knowledge Systems and Practices on forest management shall be included as an integral part of the Ancestral Domain Sustainable Development Protection Plan (ADSDPP) and the Comprehensive Land Use Plan (CLUP). As a step towards the realization of the plan and integration of the traditional forest resources management system, the DENR, the NCIP, LGUs and other stakeholders concerned shall organize a Resource Management Technical Group at the regional level which shall function as a unit to provide direction and support in the integration/recognition and implementation of indigenous forest resources management systems/practices within the accepted structure and to recommend appropriate mechanism that will provide incentives to communities.

12.1 Agreements, Disputes and Conflicts

The settlement of disputes/conflicts arising from abuse or violations of pertinent laws, rules, regulations or policy shall be resolved under the mechanics of indigenous systems and supplemented by other applicable DENR and NCIP laws, rules and regulations.

12.2 Organization of Local Management Group

There shall be organized a local management group to be handled by the Environment and Natural Resources Council (ENRC) at the village or municipal level and Environment and Natural Resources Board (ENRB) at the provincial level which shall be designated to provide technical and administrative support as well as advocate participatory approach in the integration/ adoption of indigenous forest resources management systems/practices in coordination with the Council of Elders with advisory and guidance from the DENR and the NCIP. Management opportunities shall include among others, but not limited to, resource development, utilization, marketing and entrepreneurship.

Sec. 13. – Transitory Provisions. - Within six (6) months after approval of this Order, the DENR in coordination/consultation with the NCIP, the LGUs and other government agencies concerned and with the active involvement of the indigenous political structures shall prepare and execute the requisite Memorandum of Agreement (MOA) and the Joint Implementing Rules and Regulations (JIRR) for each indigenous and traditional forest resources management system/practice in the forest/watershed area found to be sustainable, in collaboration with the indigenous political structures embodying specific rules, regulations, procedures and guidelines consistent with the customary practices and DENR laws, rules and regulations as well as pertinent NCIP-promulgated guidelines.

Consistent with the requisite MOA, the indigenous communities shall submit their specific customary traditions and practices governing forest resources management within their respective communities to their respective Sangguniang Bayan for the adoption and issuance of an appropriate resolution recognizing its sustainability. The Sangguniang Bayan of each municipality shall transform such practices into resolutions and/or ordinances with the

corollary approval of the Sangguniang Panlalawigan in accordance with R.A. No. 7160 or the Local Government Code of 1991. The DENR, being the agency empowered under national laws to manage natural resources shall, upon receipt, confirm the sustainability of such practice and traditions and provide supporting guidelines that may be necessary for the purpose, with formal notice to NCIP.

Sec. 14. – Special Provision. - Administrative authority is hereby given to the DENR-Regional Executive Director (RED), the NCIP-Regional Director (RD) to sign the MOAs and to issue the Joint Implementing Rules and Regulations with the LGUs and ICC/IP concerned for each particular traditional and indigenous forest resources management system and practice, as may be necessary, for and in consideration of the uniqueness of the prevailing situation covering the customary systems and practices in the respective forest/watershed area. Said MOAs and JIRRs should however be consistent with existing national policies and regulations on the matter. The signing of the MOAs and the issuance of the JIRRs will formalize the enforcement of the sustainable traditional forest management resources systems and practices underscoring the elements of customary development and management approach as provided for in this Order. The MOAs and JIRRs, as signed, shall thereafter be forwarded for affirmation and further instruction to the Office of the DENR Secretary and the NCIP Chairperson within five (5) working days after the signing at the regional level.

Further, the DENR-RED and the NCIP-RD, in consultation with all their partners in the regional level are hereby given the authority to issue and devise tenurial instruments and harvesting permit forms including their nomenclature for each registered STIFRMSP. The submission of the requisite reports on the implementation of this Order to the DENR-Central Office, through the Director of the Forest Management Bureau (FMB) and to the NCIP-Central Office shall be strictly observed and monitored.

Finally, the principle of command responsibility and accountability of the field implementors from the level of the concerned DENR-RED and NCIP-RD down to the DENR-CENRO and the NCIP-Field Office, respectively, shall at all times be a matter of policy and shall be strictly enforced for any violations committed by the tenurial instrument holders/permittees, transporters and/or personnel of the DENR and/or the NCIP pursuant to existing DENR, NCIP and Civil Service laws, rules and regulations.

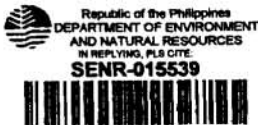
Sec. 15. – Amendatory Provision. - The DENR, the NCIP, the LGUs and the ICCs/IPs shall regularly review and assess the implementation of this Order and submit recommendations for the amendment of any of its provisions in accordance with existing policies on the matter and subject to written approval of all the parties thereto.

Sec 16. - Separability Clause. - Should any of the provisions of this Order be subsequently declared invalid or null and void, the validity of the other provisions not affected shall not be impaired and shall remain to be in full force and effect.

Sec. 17. -- Repealing Clause. - All orders, rules and regulations inconsistent with or contrary to the provisions of this Joint Administrative Order are hereby repealed or modified accordingly.

Sec. 18. - Effectivity. - This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and fifteen (15) days after its registration with the Office of the National Administrative Registry (ONAR).


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