



FEB 17 2011

DepEd MEMORANDUM
No. **46**, s. 2011

DISSEMINATION OF EXECUTIVE ORDER NO. 23

(Declaring A Moratorium on the Cutting and Harvesting of Timber
in the Natural and Residual Forests and Creating the Anti-Illegal
Logging Task Force)

To: Undersecretaries
Assistant Secretaries
Bureau Directors
Directors of Services, Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Heads, Public and Private Elementary and Secondary Schools
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Executive Order No. 23 dated February 1, 2011 entitled "*Declaring a Moratorium on the Cutting and Harvesting of Timber in the Natural and Residual Forests and Creating the Anti-Illegal Logging Task Force*" which is self-explanatory.
2. Immediate dissemination of this Memorandum is desired.

BR. ARMIN A. LUISTRO FSC
Secretary

Encl.: As stated
Reference: None
To be indicated in the Perpetual Index
under the following subjects:

COMMITTEES ENVIRONMENTAL EDUCATION LEGISLATIONS

D-mcr/DM-E.O. No. 23
02-08-11



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 23

**DECLARING A MORATORIUM ON THE CUTTING AND HARVESTING OF
TIMBER IN THE NATURAL AND RESIDUAL FORESTS AND CREATING
THE ANTI-ILLEGAL LOGGING TASK FORCE**

WHEREAS, the entire country has been a witness to the ever-changing climatic conditions brought about by the La Niña phenomenon;

WHEREAS, the destructive effects of the phenomenon on the environment are apparent in many regions in the country and it is an accepted fact that the effects are worsened due to the continuous denudation of the forest zones;

WHEREAS, the watersheds and river systems supporting existing or proposed hydroelectric power facilities, irrigation works or existing water facilities are in need of immediate protection and rehabilitation;

WHEREAS, it is the obligation of the State to protect the remaining forest cover areas of the country not only to prevent flash floods and hazardous flooding but also to preserve biodiversity, protect threatened habitats and sanctuaries of endangered and rare species, and allow natural regeneration of residual forests and development of plantation forests;

WHEREAS, it is imperative to arrest the degradation, pollution and contamination of the river and water systems and to stem the wanton destruction of the forest resources;

WHEREAS, Article XII, Sec. 2 of the 1987 Philippine Constitutional provides that "the exploration, development, and utilization of natural resources shall be under the full control and supervision of the State".

NOW, THEREFORE, I BENIGNO S. AQUINO, III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. Definition of Terms. For the purpose of this Executive Order, the following terms shall be defined:

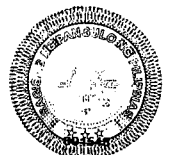
- 1.1. **Forest Land** – it includes public forest, permanent forest or forest reserves, and forest reservations.
- 1.2. **Natural and Residual Forests** – are forests composed of indigenous trees, not planted by man.
- 1.3. **Plantation Forest** – is a forest where the trees were planted pursuant to a management agreement with the DENR.



- 1.4 **Integrated Forest Management Agreement (IFMA)** – is a production sharing contract entered into by and between the DENR and a qualified applicant wherein the DENR grants to the latter exclusive right to develop, manage, protect and utilize a specified area of forest land and forest resources therein for a specified period consistent with the principle of sustainable development and in accordance with an approved Comprehensive Development and Management Plan (CDMP).
- 1.5 **Socialized Integrated Forest Management Agreement (SIFMA)** – is an agreement entered into by and between a natural or juridical person and the DENR wherein the latter grants to the former the right to develop, utilize and manage a small tract of forest land consistent with the principle of sustainable development.
- 1.6 **Community-Based Forest Management (CBFMA)** – is an agreement entered into by and between the government and the local community in a locality, represented by a people's organization as forest managers, for a specific period wherein the local community is allowed to develop, utilize and manage a small tract of forest land consistent with the principle of sustainable development.
- 1.7 **National Greening Program** – is a DA-DENR-DAR Convergence Initiative anchored on the government's goal of poverty reduction, food, security, climate change adaptation and mitigation.

Section 2. Moratorium on the Cutting and Harvesting of Timber in the Natural Forests - A moratorium on the cutting and harvesting of timber in the natural and residual forests of the entire country is hereby declared unless lifted after the effectivity of this Executive Order. In order to implement this policy, the following are hereby instituted:

- 2.1 The DENR is henceforth hereby prohibited from issuing logging contracts/agreements in all natural and residual forests, such as Integrated Forest Management Agreements (IFMA), Socialized Integrated Forest Management Agreements (SIFMA), Community-Based Forest Management Agreement (CBFMA) and other agreements/contracts with logging components in natural and residual forests:
- 2.2 The DENR is likewise prohibited from issuing/renewing tree cutting permits in all natural and residual forests nationwide, except for clearing of road right of way by the DPWH, site preparation for tree plantations, silvicultural treatment and similar activities, provided that all logs derived from the said cutting permits shall be turned over to the DENR for proper disposal. Tree cutting associated with cultural practices pursuant to the indigenous Peoples Rights Act (IPRA Law) may be allowed only subject to strict compliance with existing guidelines of the DENR;



- 2.3 The DENR shall review/evaluate all existing IFMAs, SIFMAs, CBFMAs and other forestry agreements/contracts and immediately terminate/cancel the agreements of those who have violated the terms and conditions of their contracts/agreements as well as existing forest laws, rules and regulations at least twice. Furthermore, said agreements shall likewise be immediately terminated/cancelled if the holders thereof engage in logging activities in any natural or residual forest or abet the commission of the same;
- 2.4 The DENR shall strictly implement a forest certification system in accordance with the United Nations standard/guidelines to ascertain the sustainability of legal sources and chain of custody of timber and wood products, nationwide;
- 2.5 The DENR shall close and not allow to operate all sawmills, veneer plants and other wood processing plants who are unable to present proof of sustainable sources of legally cut logs for a period of at least five (5) years within one month from effectivity of this Executive Order;
- 2.6 The DENR through the DA-DENR-DAR Convergence Initiative, shall develop a National Greening Program NGP in cooperation with the Department of Education (DepEd) and the Commission on Higher Education (CHED) to initiate the educational drive campaign; the Department of Interior and Local Government (DILG) to help in establishing communal tree farms for firewood and other purposes; the Department of Social Welfare and Development (DSWD) to identify the upland farmers covered by the NGP as priority beneficiaries of the conditional cash transfer program; the Department of Budget and Management (DBM) to provide the funds for the production of quality seedlings for the NGP from available funds of the government; and the private sector and other concerned agencies/institutions to raise funds and resources for tree planting;
- 2.7 The Department of Education shall be given priority in the use of all confiscated logs.

Section 3. Creation of the Anti-Illegal Logging Task Force. To enforce the moratorium and lead the anti-illegal logging campaign, an Anti-Illegal Logging Task Force is hereby created. The Task Force shall be composed of the DENR Secretary or his duly authorized representative as Chairman and the Secretary of the Interior and Local Government, the Secretary of the Department of National Defense, the Chief of the Philippine National Police, the Chief of Staff of the Armed Forces of the Philippines or their respective authorized representatives, as members.

- 3.1 *Mandate.* The Task Force is hereby mandated to take the lead in the anti-illegal logging campaign and ensure the implementation of this Executive Order under the supervision of the DENR. It shall also assist the DENR in the enforcement of other environmental laws.




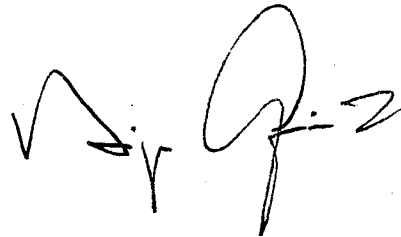
- 3.2. *Support from Government Offices and Agencies.* The Task Force may call upon the support of any department, bureau and office of the executive branch to assist in the discharge of its functions, such as but not limited to the provision of administrative or technical assistance, logistical support and detail of personnel. The DENR shall provide the secretariat for the Task Force.
- 3.3. *Budgetary Support.* The Department of Budget and Management shall provide the DENR an initial budget for the Task Force in the amount of Ten Million Pesos (P10,000,000.00) which shall be sourced from the available funds of the government. Release of additional amounts shall be subject to the approval of the President.

Section 4. Repealing Clause. All executive orders, rules, and regulations and other issuances or parts thereof which are inconsistent with this Executive Order are hereby revoked, amended, and/ or modified accordingly.

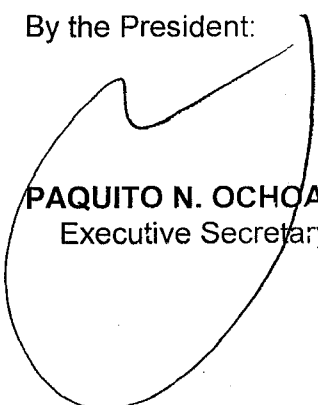
Section 5. Implementing Guidelines - Upon its formation, the Task Force shall immediately formulate the guidelines for the implementation of the policies set forth in this Executive Order.

Section 6. Effectivity. This Executive Order shall take effect immediately after publication in a newspaper of general circulation.

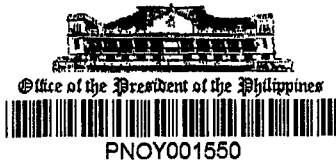
DONE in the City of Manila, Philippines, this 1st day of February in the year of Our Lord Two Thousand and Eleven.



By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary



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