

# Trends in Forest Policy of the Philippines

Juan M. PULHIN, Ph. D.

College of Forestry and Natural Resources  
University of the Philippines Los Banos  
College, Laguna, Philippines

**Abstract** : Historical accounts of forest use in the Philippines reveal how massive deforestation has depleted the once lush tropical rainforests of the country. A century of plunder of the forest resource can be traced to factors such as conversion of forest to agricultural land, commercial logging and the pressures of population growth (Kummer 1992 ; Cruz 2000). However, "one important thread ... that [runs] through most of these realities [is] power politics : the influence of political power and vested interests on forest management policies and decisions as well as on their implementation" (Vitug 2000).

In order to address the decline of the forest resource, policy reform has been instituted, as has a shift in the direction of forest management, particularly since the end of dictatorial rule under Marcos (Pulhin 1997 ; Sabban 1997). Forest policy in the Philippines has subsequently become known for its active pursuit of people-centered sustainable forest development (Utting 2000).

This paper traces the evolution of forest policy in the Philippines from the period of Spanish rule up to the present day. It highlights the trend from the highly regulatory, centrally controlled and industry-biased forest policy that was characteristic of the colonial period up until the end of the 1970s, towards a more decentralized, participatory and people-oriented approach that has typified the direction of policy implemented over the last two decades. It also discusses the different actors involved in policy-making and their roles in determining the course of current forest policy. A brief analysis of the current issues pertinent to forest policy in the Philippines, especially those that relate to participatory forestry, is also presented. The paper concludes by pointing out that reform in the policy process has to be accompanied by a corresponding shift in power if forest policies are to be more responsive to the needs of the local people whose lives are dependent on the forest for survival.

**Key words** : Forest policy, Philippine forests, community-based forest management, participatory forestry, policy actors, policy process, shift in power.

## 1 Introduction

When Spanish colonizers first landed in the Philippines in 1521, approximately 27 million hectares of forested land existed across the archipelago, accounting for 90 per cent of the total land area of 30 million hectares. However, by the year 1900 forest cover had fallen to 70 per cent (a total of 21 million hectares), and by 1950 the figure stood at 49.1 per cent. It is estimated that over this period about 10 million hectares of forest were lost, averaging at 200,000 hectares destroyed per year (Sajise 1998 ; Borlagdan, Guiang and Pulhin 2001). Exploitative forest practices continued in the post-independence era following the Second World War, with records showing an annual rate of deforestation as high as 172,000 hectares from the 1950s through to 1973 (Boado 1988). However, forest decline was most blatant under the Marcos regime, placing the Philippines at the top of the list of countries with the highest deforestation rates within the Asia-Pacific region (Vitug 2000).

The dark past of forest use in the Philippines still haunts the country today. Forests have disappeared altogether in many places, and the remaining fragments are concentrated in only a few regions, particularly Regions 2, 4, 10 and 11. To make matters worst, more than 20 million Filipinos occupy the uplands, and nearly

half of this population is entirely dependent on the forest resource which remains in these areas. In addition, these groups are characterized by an annual population growth rate of 2.8 per cent (Sajise 1998), which is 0.5 per cent higher than the country's average of 2.3 per cent.

The 1997 data on land classification show that 15.88 million hectares of the country's total land area are classified as forest land. Of this figure, about 15 million hectares (94 per cent) have been classified into various categories, while the remaining 0.88 million hectares remain unclassified (Forest Management Bureau 1998).

In contrast, 1998 forestry statistics place the actual forest cover at 5.4 million hectares, comprising roughly 18 per cent of the total land area (Table 1). Of this total, 3.5 million hectares (66 per cent) is classified as dipterocarp forest, of which old growth accounts for 27 per cent (805,000 hectares), the remaining 77 per cent (2.7 million hectares) being made up of residual forest. In addition, pine forests are estimated at 228,000 hectares, whereas mossy, submarginal and mangrove forests comprise 1.04 million, 475,000 and 112,000 hectares respectively (Forest Management Bureau 1998).

The forests of the Philippines are highly diverse (Table 2), as are the people and cultures that depend on them for survival (Malayang 2001). Poffenberger (2000) notes that significant losses in forest cover over the last century have affected over 2 million plant species and

Table 1 Status of forests in the Philippines, 1997 : forest area (hectares) by region.

Forest type	Luzon	Visayas	Mindanao	Total
Dipterocarp	1,843,026	306,100	1,386,891	3,536,017
Old Growth	559,700	35,400	209,800	804,900
Residual	1,283,326	270,700	1,177,091	2,731,117
Pine	227,900	0	0	227,900
Closed	123,900	0	0	123,900
Open	104,000	0	0	104,000
Submarginal	461,400	10,800	2,900	475,100
Mossy	540,400	29,800	470,100	1,040,300
Mangrove	32,000	5,100	75,300	112,400
Total	3,104,726	351,800	1,935,191	5,391,717

Source: Forest Management Bureau (1998)

Table 2 Forest types of the Philippines.

Type	Elevation (masl)	Dominant Plants	Distribution
Lowland evergreen rainforest	0-100	Dipterocarps, palms, legumes, orchids	All over the country
Lower montane forest	1000-1500	<i>Lithocarpus</i> , Liliaceous	Cordillera highlands
Upper montane forest	1500-2400	<i>Agathis</i> , <i>Phyllocladus</i> , <i>Podocarpus</i> , <i>Dacrydium</i> , <i>Vaccinium</i>	Mt. Pulog, Mt. Apo, Mt. Halcon, Mt. Kitangalad
Sub-alpine forest	2400+	<i>Rhododendron</i> , <i>Vaccinium</i> , <i>Dacasperrum</i>	Mt. Apo, Mt. Pulog
Pine forest	1000	<i>Pinus Insularis</i> , <i>Pinus Merkusii</i>	Benguet, Zambales, Mindoro, C. Cordillera
Forest over limestone	0-900	<i>Veitchia</i> , <i>Dracaena</i> , <i>Sterculia</i> , <i>Hoya</i> , orchids	Pangasinan, Bulacan, Samar, Palawan, Cebu
Forest over ultrabasic soil	0-900	<i>Scaevola</i> , <i>Brackenridgia</i> , <i>Phyllanthus</i> , <i>Execarpus</i>	Palanan, Palawan, Surigao, Zambales
Semi-deciduous	1000	<i>Pterocaropus</i> , <i>Vitex</i> , <i>Garuga</i>	E. Sierra Madre, Palawan
Beach forest	<10	<i>Barringtonia</i> , <i>Erythrina</i> , <i>Acacia</i> , <i>Prosopis</i> , <i>Casuarina</i>	All over the country
Mangrove/nipa	<10	<i>Rhizophoraceae</i> , <i>Nypa</i>	Estuaries, coasts
Freshwater swamp	0-200	Legumes, Cyperaceae, <i>Terminalia</i> , <i>Metroxylon</i>	Inland waters

Source: DENR-UNEP 1997:34-35 (Cited from Malayang 2001)

impacted upon more than 100 different indigenous cultures.

Since the Spanish colonial period, forest policy in the Philippines has been continuously revised to suit the changing priorities and needs of the country in relation to the goods and services provided by the forests. Despite this, however, the country's forest resources have continued to dwindle, benefiting the privileged few at

the expense of the millions of people living in the uplands who depend on these resources for survival.

The following sections examine the evolution of forest policy in the Philippines in the context of the dwindling forest resource, the key actors and their roles in shaping recent policy initiatives towards community-based forest management, and the current policy-related concerns confronting the forestry sector.

Box 1 Important events of the American colonial period up to the beginning of World War II.

### **1900**

The IGM was converted to the Forestry Bureau under the United States Commonwealth Government, with the issuance of General Order No. 50, amended by General Order No. 92 and further strengthened by the Forestry Act of 1904, which reaffirmed the Regalian Doctrine. In recognition of local needs, however, the Forestry Act allowed residents within or adjacent to forests to cut or remove from timber concession areas products such as timber and firewood solely for domestic purposes. This act had the effect of impressing upon communities the state's ownership of forests and forestlands (Makil 1982).

Although the Spooner's Amendment in 1901 initially delayed logging operations (Sajise & Pacardo 1991), the Philippine Commission continued to issue timber licenses, such that between 1<sup>st</sup> July 1901 and 30<sup>th</sup> June 1902, some 662 licenses were issued and 10 companies were allowed to harvest 100,000 cubic feet of timber (Lynch 1987). In addition, General Order No. 92 established an official licensing procedure.

### **1904**

Modern logging techniques were introduced, with the Philippine Commission granting the American Insular Lumber Company a 20-year renewable concession covering 30,000 hectares in Northern Negros (Poffenberger & McGean 1993). Employing technologies from the United States Pacific Northwest, the company produced 30 m<sup>3</sup> of dipterocarp lumber per hour, marketing the product as "Philippine mahogany" on the world market.

### **1917**

The Forest Law of 1917, or Act No. 2711, established communal forests and pastures for the use of communities, though the forest land itself remained under state control. Nonetheless, some of these were later reclassified as alienable and disposable lands for titling (Makil 1982).

### **1935**

With the adoption of the first constitution under the independent Philippine Republic, the Regalian Doctrine became a formal principle of the Philippine government, stipulating that all timberlands belong to the state. This had several implications for the rights of many indigenous peoples, especially with regard to property claims in those areas which were newly classified as timberlands. The formal adoption of the Regalian Doctrine in the 1935 constitution supported the nationalization of Philippine forests, perpetuating the erosion and alienation of indigenous peoples' and local communities' rights to participation in forest management. Many traditional communities with a sense of responsibility to the forests were stripped of any legal right to their land, becoming helpless as they witnessed the commercial exploitation of the forests upon which they depended (IUCN 1996).

### **1941**

Incorporating a revision to the Communal Forest Regulation that had been issued earlier, Forestry Administrative Order No. 14-1 was enacted, empowering the Secretary of Agriculture and Commerce to set aside communal forests, upon the endorsement of the Director of Forestry and the request of municipal councils. Residents of a municipality were granted the privilege to cut, collect and remove free of charge, forest products for their personal use. The issuance of a gratuitous permit by the Bureau of Forestry was needed, however, in order to harvest timber in communal forests. No protection and management responsibility was imposed on municipalities where the communal forests were located.

*Source: Borlagdan, Guiang & Pulhin 2001.*

## **2 Evolution of forest policy**

For the purpose of this paper, the history of forest policy in the Philippines is divided into three periods: forest policy of the colonial period; post-colonial exploitation (1946-1970s); and a subsequent shift towards the promotion of local participation in forest management (1980s-present).

### **2-1 Forest policy of the colonial period**

During the Spanish era, royal decrees were promulgated which placed the land and natural resources of the Philippines under state control and regulation (Sajise 1998; Borlagdan, Guiang and Pulhin 2001). Three main objectives for forest policy can be discerned in these royal decrees: a) the provision of timber for Span-

ish civil and naval needs ; b) the generation of government revenue ; and c) the perpetuation of the forest resource (Boado 1988). With the introduction of this Regalian Doctrine, the colonial authorities changed the public attitude towards a range of forest issues by undermining traditional rights to land ownership as well as other prior claims of indigenous communities to forest resources (Borlagdan, Guiang and Pulhin 2001). Furthermore, rights to forest utilization were granted only to a few "privileged" individuals, which led to the conversion of lowland forest land into agricultural crop plantations (Sajise 1998 ; Borlagdan, Guiang and Pulhin 2001).

Spanish land law weakened customary Filipino systems of land tenure, depriving indigenous peoples of their rights to their land and bypassing communal *Indios* associations. Instead, the colonial government and the local elite claimed the land for themselves (Poffenberger and McGean 1993 ; Sanvictores 1997).

The Spanish institutionalized the notion of state ownership of forest land and forest resources in the country through the establishment of a forest bureaucracy and its constituent instruments which allocated proprietary rights for forest use (Borlagdan, Guiang and Pulhin 2001). In 1863, the *Inspeccion General de Montes* (IGM) was created, which governed the utilization of forest resources (Boado 1988 ; Sajise 1998). Though the IGM facilitated the release of forest land to private interests, land had to be thoroughly surveyed, gazetted and officially certified as both alienable and disposable, before it could be sold (Borlagdan, Guiang and Pulhin 2001 ; Boado 1988).

Despite this, forest policy enacted under Spanish rule can be considered as instigating relatively little forest exploitation in the Philippines. Commercial forest exploitation for timber and the generation of government revenue from forest use was limited since the Spanish colonizers had control over only a small portion of the archipelago. Moreover, even though illegal logging and the development of agriculture in forest lands increased at this time, the pressure on forest lands was negligible and the net loss not extensive, since the human population was small (Boado 1988 ; Borlagdan, Guiang and Pulhin 2001).

When the United States took control of the Philippines in 1898, the country, apart from Cebu and Bohol, still had extensive forest cover. The lush forest vegetation which remained in many parts of the country was effectively "waiting to be explored by American capitalists" (Boado 1988), and encouraged the rapid development of the forestry industries. As the government asserted ownership over forests and forest land (Borlagdan, Guiang and Pulhin 2001 ; Boado 1988), American logging companies entered the country and mechanized logging began.

In 1904, the US congress enacted the Forest Act, which aimed "to encourage rational exploitation of the forests by installation of an appropriate regulatory environment to prescribe fees and taxes, and to define param-

eters for conversion of forest land to agriculture" (Boado 1988 ; Sajise 1998). As such, the act became the decisive regulatory mechanism in Philippine forestry and remained the basis for all elements of forest management until 1975 (Boado 1988). The state forest service, which later became an independent bureau, was organized under its direction, and, concomitantly, a forestry curriculum was established at the college of agriculture within the University of the Philippines, with the subsequent creation of a college of forestry.

Accordingly, the forest industries in the Philippines flourished throughout the American period of rule, and the country became a major exporter of logs and timber on the world market, trading particularly with the United States. Amongst its domestic industries, the lumber industry ranked fourth in terms of production, second in terms employment, and third with regard to monthly payments at this time. The forest industry also generated annual revenue averaging at P2.9 million (Boado 1988 ; Borlagdan, Guiang and Pulhin 2001).

However, the boom in the forest industry also prompted a "steady loss of forest throughout the era of American rule" (Poffenberger 2000). In response to the negative impacts brought about particularly by destructive logging, laws prohibiting kaingin-making and illegal entry into public forests were promulgated. Reforestation projects were also initiated in 1916 to address the deforestation problem. However, these acts proved ineffective and difficult to implement due to the size of the population, a lack of forest rangers, and the enormous size of forest lands (Sajise 1998 ; Boado 1988).

Despite the entry of the Japanese in 1942, all districts and forest stations in occupied territories continued to operate. The country's forest resources were heavily exploited for war purposes, resulting in severe deforestation and a devastated forest industry (Boado 1988).

## **2-2 From 1946 to the 1970s : forest policy and post-colonial exploitation**

The post-colonial period did not bring any major change in the focus of forest policy (Boado 1988) as the government continued to support and even reinforce the system of ownership promoted by the Regalian Doctrine (Sajise 1998 ; Boado 1988). Indeed, the 1946 constitution of the new Philippine Republic asserted that all timberlands belonged to the state (Boado 1988). Hence, "the powers of allocation, classification, regulation, and management of forests and timberlands remained with the government" (Borlagdan, Guiang and Pulhin 2001).

The post-war period was also characterized by increased forest exploitation. Large-scale logging expanded to meet the increasing market demands for timber in Japan and the United States. This generated more revenue for the government, which was greatly needed to help accelerate national rehabilitation and development (Boado 1988 ; Borlagdan, Guiang and Pulhin 2001). However, many politicians and "well-

connected" individuals also found the exploitation of natural resources to be a very lucrative business (Borlagdan, Guiang and Pulhin 2001).

Amidst the highly destructive logging activities in the post-independence era, policy which advocated sustainable forest management and brought about the formation of regulated felling procedures known as the Philippine Selective Logging System (PSLS), was introduced in 1953. The government also adopted the policy of "land for the landless", instituted the Homestead Act, and promoted export and import substitution policies (Borlagdan, Guiang and Pulhin 2001).

When Marcos ascended to the presidency in 1965, deforestation peaked as the number of logging concessionaires grew, the export market became hungrier for logs, and the population increased. Under his regime, the number of timber license agreements (TLAs) granted also soared. As logging rights to vast forest concessions, TLAs were used as a tool to cement political patronage and as a means to strengthen Marcos' political network. That is, forest concessions were dispensed to the president's cronies as a reward for political loyalty (Vitug 2000).

Experiencing eventually the inevitable results of several decades of forest exploitation, the Marcos administration in the 1970s formulated a number of programmes that rallied the involvement of individuals and upland communities in forest management. These included the Forest Occupancy Management (FOM) in 1975, the Family Approach to Reforestation (FAR) in 1976, and Communal Tree Farming (CTF) in 1978. The Programme for Forest Ecosystem Management (PROPEM) was also introduced in 1978, requiring all citizens of the Philippines to plant one tree a month for a period of five years (Boado 1988 ; Sajise 1998 ; Pulhin 1997).

Though these programmes enlisted the public in their capacity to provide labour rather than as partners in forest conservation and development, they did mark the onset of a pioneering period in the establishment of community forestry in the Philippines (Pulhin 1997).

### **2-3 From the 1980s to the present : a shift in policy towards local participation**

Recognizing the potential role of people in the conservation and development of forest resources, Letter of Instruction 1260 was issued in 1982, which consolidated the CTF, FOM and FAR into one comprehensive programme entitled the Integrated Social Forestry Programme (ISFP). This programme accordingly aimed to "democratize the use of public forests and to promote more equitable distribution of the forest bounty". Under the ISFP, stewardship agreements were granted to qualified individuals and communities allowing them to continue occupation and cultivation of upland areas, which they were required to protect and reforest in return. However, the programme has been characterized by weak implementation, low participation of beneficiaries,

poor government support, neglect of ancestral domain rights, and uncertainty with respect to sharing of benefits from forest products (Pulhin 1987 ; Sajise 1998).

After the 1986 EDSA revolution, "the concept of decentralization, people's participation and the recognition of the socio-political dimension of forestry moved into the mainstream of policy formation" (Sajise 1998). Since then, various initiatives in the decentralization process have been established, later leading to the development of community-based forest management (Sabban 1997).

Forest policy scenarios implemented since 1986 have tended towards a more people-oriented forestry programme, with more NGO involvement and greater emphasis on the role of local government units. The 1987 National Reforestation Program (NFP) under the Aquino administration promulgated a new reforestation policy offering market incentives and involving communities, families, NGOs and corporations in management initiatives. In addition, a policy decision to ban all logging in old growth forests was implemented in January 1992, shifting the production of timber to residual forests (Sajise 1998 ; Vitug 2000).

Following the demise of dictatorial rule, the new administration established a system of protected areas and recognized the rights of cultural minorities through its two milestone policy instruments (Republic Act No. 7586). With the enactment of the Certificate of Ancestral Land Claims, the rights of indigenous people to their ancestral lands were reasserted. Moreover, the National Integrated Protected Areas System (NIPAS) Act of 1992 encouraged community participation in the delimitation of land boundaries and in the management of protected areas. These two crucial policy instruments underlined the role of public and community involvement in resource management (Sajise 1998).

The issuance of Department Administrative Order (DAO) No. 22 in 1993 by the Department of Environment and Natural Resources (DENR) established the Community Forestry Programme (CFP). Among its objectives were the initiation of community-based forest development and utilization of natural resources, and protection of the remaining primary forests with the help of local communities (Sajise 1998). The programme has recognized that upland poverty alleviation, social justice and equity in resource distribution, and forest sustainability can be achieved through community forestry (Pulhin 1997).

Since the 1990s, community forestry has continued to expand through the various people-oriented forestry programmes and projects implemented throughout the country. These initiatives have also incorporated for the first time mandates that deal with aspects of productive residual forest, existing forest plantation and even old growth forest management (Pulhin 1997 ; Borlagdan, Guiang and Pulhin 2001). The expansion of community forestry in the country has also been facilitated by numerous international funding agencies that have provid-



ed both technical and financial support (Pulhin 1997 ; Vitug 2000).

In 1995, Executive Order (EO) 263 was issued by the then President Fidel V. Ramos, paving the way for the institutionalization of a community-based forest management (CBFM) programme. Governed by the rules and regulations set out in this order, DENR Department Administrative Order No. 96-29 issued in 1996 established CBFM as the national strategy for sustainable forest management and social equity in the Philippine uplands. Various programmes that espouse public participation as decisive elements of forest management have also been integrated, administered and managed under the CBFM (Pulhin 1997 ; Sajise 1998). Among these are the Integrated Social Forestry Programme (ISFP) ; Upland Development Project (UDP) ; Forest Land Management Programme (FLMP) ; Community Forestry Programme (CFP) ; Low Income Upland Communities Project (LIUCP) ; Regional Resources Management Project (RRMP) ; Integrated Rainforest Management Project (IRMP) ; Forestry Sector Project (FSP) ; Coastal Environmental Programme (CEP) ; and Recognition of Ancestral Domains/Claims.

Under the DENR CBFM National Strategic Plan, 9 million hectares of the country's total classified forest land area of 15.8 million hectares have been earmarked for community management by the year 2008. This represents a drastic departure from the preceding forest management approach, which placed 8-10 million hectares of forest land - around one-third of the country's total land area of 30 million hectares - under the control of the social elite, particularly the relatively few timber license operators (Pulhin, 2001).

The immediate task of CBFM is to create and nurture an enabling environment in which people can manage their forest resources in a sustainable way. To achieve this, different key strategies for promoting CBFM have been implemented : the integration of people-oriented forestry projects ; provision of land tenure security ; promotion of livelihood projects ; and decentralization of forest resource governance. These efforts have transformed the role of the people from mere labourers to partners in forest resource management. From a limited, experimental scale in the late 1970s, CBFM now covers an area of around 5.5 million hectares of forest land, and involves more than 355,000 families (Tesoro, 1999 ; DENR, 2002).

### 3 Key policy actors and their roles

The shaping of forest policy in post-colonial Philippines has been largely determined by the interactions, negotiations and decisions of the different political actors involved in policy formulation. Among these important policy actors are : the legislators in the Philippine Congress ; the President of the Philippines ; the Department of Environment and Natural Resources ; Local Government Units (LGUs) ; the private sector and in

particular the wood industry ; academic and other research institutes ; civil society ; and international funding institutions. The respective roles of these various bodies and individuals in redirecting recent forest policy initiatives towards a more participatory forest management are briefly discussed below.

#### 3-1 The Philippine Congress

Forestry laws are enacted by the Philippine Congress, the national legislative body composed of the Senate (upper chamber) and the House of Representatives (lower chamber). Legislative proposals or bills relating to forestry are normally initiated by DENR, although other sectors such as academia, business and civil society, can also serve as proponents. When approved and signed by the President of the Philippines, bills passed by Congress become law (Magallona and Malayang III 2001). Recently, the Philippine Congress has passed into law two important pieces of legislation supportive of the concept of CBFM : Republic Act (RA) No. 7586 or the National Integrated Protected Areas Act of 1992, and Republic Act 8371 or the Indigenous Peoples Rights Act of 1997. RA 7586 provides for the representation of local communities on the Protected Area Management Board, the policy-making body for all issues relating to protected areas, by making use of people's organizations (POs). RA 8371, on the other hand, has been considered a watershed proclamation in the history of the Philippines' forest legislation. Crucially, it differs from the Regalian Doctrine by recognizing and promoting all individual and collective rights of indigenous cultural communities/peoples (ICCs/IPs) over ancestral lands/domains, which had been under state control ever since the Spanish commandeered all "public land". Despite these two important policies, however, the Philippine Congress has yet to enact a single comprehensive piece of legislation that specifically adopts the practice of CBFM. During the last 14 years, a proposed law on sustainable forest management that adopts CBFM as the principal strategy has been repeatedly revised in the Philippine Congress but has not yet been enacted into law.

#### 3-2 The President of the Philippines

Within the current structure of the Philippine government, the president of the country may also issue executive orders pertaining to the administration and management of the country's forest resources, although such proclamations do not carry the full force of the law, as do those passed by the Philippine Congress. Of the four presidents that have governed since the EDSA I revolution, President Fidel V. Ramos' administration has appeared the most supportive of the concept of CBFM. During his term in 1995, President Ramos issued a landmark policy, Executive Order No. 263, adopting community-based forest management as the national strategy to ensure the sustainable development of the

country's forest resources and the provision of mechanisms for its implementation. EO No. 263 remains the basis for the current administration in formulating forestry rules, regulations and programmes geared towards sustainable forestry.

### **3-3 Department of Environment and Natural Resources**

Within the executive branch of the government, the Department of Environment and Natural Resources provides the institutional mechanism for the implementation of state policy on the development and utilization of natural resources. Congress grants DENR the authority to promulgate appropriate rules and regulations that translate the generalities of law into concrete terms to promote a more effective implementation of forest-related legislation (Magallona and Malayang III 2001). DENR is headed by a secretary, responsible for the issuance of various rules and regulations such as Department Administrative Orders and Memorandum Circulars that guide the proper implementation of forestry laws.

From 1986 to the present, the DENR has been under the successive leadership of six secretaries, including the newly appointed Heherson Alvarez who is a former member of the Philippine Congress. Of these six department secretaries, Fulgencio Factoran, Angel Alcala and Victor Ramos in particular have all contributed to the promotion of the ideals of community-based resource management through the rules and regulations pertinent to CBFM issued under their authority. In contrast, Secretary Antonio Cerilles, under former President Estrada's administration, was tagged as anti-CBFM, with his issuance of a memorandum on the 22<sup>nd</sup> September 1998 that suspended the processing of cutting permits in six regions in the country. The current DENR Secretary Alvarez, however, supports the principles of CBFM and as such has encouraged a return to the earlier course in policy taken by the DENR.

### **3-4 Local Government Units**

With the enactment of the Local Government Code RA 7160 in 1991, certain DENR responsibilities were devolved to local government units (LGUs). The code empowers LGUs to enforce forestry laws and engage in community-based and social forestry programmes. Supportive of the CBFM, the Department of Interior and Local Government (DILG) issued three circulars in the period 1995 to 1996, enjoining all LGUs to help strengthen programme implementation. In addition, some LGUs in Luzon and Mindanao have passed provincial/municipal resolutions appropriating funds to finance CBFM projects in their localities. Some of the successful LGU initiatives for participatory forestry that have been backed up by LGU legislation include those established by the provincial governments of Nueva Viscaya in Northern Luzon and Bukidnon in Mindanao.

### **3-5 The private sector**

Traditionally, the role of the private sector in forestry has been primarily confined to the development of forestry and wood processing technologies to generate jobs, capital and timber-based products (Korten 1992). With the evolving political and economic situation, however, the wood industry has become increasingly involved in the promotion and advocacy of policy that benefits the industry's interests. During the initial conception of community forestry, there was considerable resistance from the wood industry in permitting local communities to utilize timber on a commercial scale. However, along with strengthening government support for CBFM, members of the private sector have increasingly accommodated the CBFM approach within the country's strategy for sustainable forest management. A draft bill on sustainable management of forest resources currently being debated in congress singles out CBFM as the principal strategy in achieving this aim, and has won the full support of the private and other sectors.

### **3-6 Academic and other research institutions**

Academic and other research institutions have likewise contributed, both directly and indirectly, to the shaping of forest policies which advocate participatory management. Enlightened academics from the oldest forestry college in the Philippines, the College of Forestry and Natural Resources (CFNR) at the University of the Philippines Los Banos, as well as esteemed researchers from the Los Banos science community, have played a key role in determining the new people-oriented, conservation-minded course of forest policy, in place of the historically pro-elite, exploitative mode of management. Immediately after the EDSA I revolution in 1986, the newly appointed DENR Secretary Sonny Dominguez created a Policy Advisory Group (PAG) chaired by the former CFNR Dean Juan Adolfo V. Revilla and composed mostly of members of the Los Banos science community to coordinate a fresh direction in forest policy. The PAG adopted equity and redistributive social justice as core principles in crafting the DENR's policy agenda, particularly in the area of resource allocation. As a result, the balance has been tipped away from the once TLA-biased forest policies in favor of community-based forest management. Subsequent forest policy has embraced the principles of social equity and people's participation in forest management, with academics and researchers contributing significantly to their formulation, most notably the 25 year Master Plan for Forest Development.

With their commitment to advance the knowledge and practice of community forestry, concerned forestry schools, colleges and research institutions have also developed and implemented research projects that advance the theory and practice of people's participation in forestry activities. Findings from these research pro-

jects have served as the scientific basis for policy formulation and have indirectly contributed to the advancement of participatory forest management policies. Moreover, the offering of social forestry subjects over the last two decades in more than 30 forestry schools in the country has led to the production of a new generation of "people-oriented foresters", some of who are now instrumental in advocating the continuous development of the policy and practice of CBFM.

### 3-7 Civil society

Civil society constitutes the non-government organizations (NGOs) and people's organizations (POs), which operate at the national and local levels. Included in this category are international NGOs and national/local NGOs and POs whose capacity for influence ranges from the provision of funds, policy advocacy, provision of legal assistance to indigenous people, implementation, monitoring and evaluation of DENR projects, community level actions, and others. Broad and Cavanagh (1993) estimated that the number of people working for or otherwise associated with formally organized NGOs and POs in the country stands at about 5-6 million, or around a tenth of the total Philippine population. No estimate exists, however, as to how many of these are working only on forestry related concerns.

The 1991 Local Government Code provided the legal platform for civil society to become involved in the governance of the country's forest resources, including policy formulation. The Code allowed for the representation of civil society in governmental and multi-sectoral policy making bodies such as in the municipal, provincial and regional development councils, as well as the Protected Area Management Board in the case of NIPAS areas. Over the last decade, the advocacy work of the civil society sector has been instrumental in the enactment of CBFM-related policies such as Executive Order No. 263 in 1995 and its implementing rules and regulations, the NIPAS Act of 1992 and the Indigenous Peoples Rights Act of 1997. More recently, national NGOs such as the Upland NGOs Assistance Committee (UNAC) and the Philippine Federation for Environmental Concern (PFEC) have entered dialogue with the DENR to comment on new DENR rules and regulations to strengthen the development and management of CBFM areas.

### 3-8 Funding institutions

Multilateral and bilateral funding institutions such as the World Bank (WB), Asian Development Bank (ADB), International Tropical Timber Organization (ITTO), and the governments of Japan, Canada, United States, the European Union etc., act as global drivers of forest policy in the Philippines (Malayang 2001). Their instruments of influence include the provision of funds and budgetary and technical support. Of the various funding institutions, the Ford Foundation, United States

Agency for International Development, ADB and WB perhaps have the greatest influence in redirecting the country's policy towards CBFM. The 15 years of experience that the Upland Development Programme has gained through funding by the Ford Foundation have significantly contributed to the refinement of earlier policy which evolved as a major forerunner to the present CBFM programme. The Natural Resources Management Programme, implemented through a financial grant from USAID, was instrumental both in synthesizing EO No. 263 and generating its widespread acceptance, as well as implementing the rules and regulations adopted under CBFM as the national strategy for sustainable development of the country's forest resources. Similarly, experiences gained from forestry projects funded by the WB and ADB have contributed to the development of policies that provide upland communities with land tenure security and access to forest resources, and have promoted the participation of civil society in forest management.

## 4 Current issues in forest policy

Given the significant shift away from a TLA-based mode of management towards a community-based approach, it could be argued that the shaping of forest policy in the Philippines over the last two decades has been radical and progressive. Indeed, some professional observers have claimed that the "Philippines has drafted some of the most progressive community-oriented resource management policies in Asia" (Walpole *et al.* 1993). Other experts regard these policies as something to be acknowledged and learned from, if not emulated by other countries in a similar situation (Byron 1992 ; Fox 1993). However, whether such policy initiatives will persist and eventually lead to sustainable upland development remains to be seen. A deeper analysis of current policy formation in the country reveals some important issues, which are briefly discussed below.

### 4-1 The challenge of consensus-building among policy actors

The diversity of stakeholders involved in forest policy formulation gives rise to a wide range of interests and perspectives which make consensus-building a difficult task. Recent approaches to policy formulation have tended to focus more on justifying proposals, than on defining the processes and mechanisms that make for a dynamic policy system. For instance, conflicting views and a lack of consensus have prevented a bill on sustainable forest management, initially proposed alongside a total logging ban, from developing beyond the discussion phase for over a decade. The challenge, therefore, is to invest more in "processes that facilitate continuing, shifting and coordinated consensus-making among sectors at all decision levels, and on developing mechanisms that would allow for a wider representation in policy making" (Malayang 2001). However, precisely



how these processes and mechanisms should be instituted and who should be responsible for their initiation has yet to be spelled out.

#### 4-2 The urgency of legislating for CBFM

A single comprehensive piece of legislation that incorporates all the recent efforts and initiatives of participatory forestry has yet to be enacted. In the absence of a more up-to-date forest legislation that reflects the current CBFM approach, Presidential Decree (PD) No. 705, otherwise known as the Revised Forestry of the Philippines enacted in 1975 and amended by PD 1559 in 1978, remains the basis for law enforcement regarding forest management issues. However, this law is regulatory rather than developmental in nature, and therefore does not really capture the spirit and intention of CBFM strategy. As previously mentioned, the proposed bill on sustainable forest management that adopts CBFM as the principal strategy of forest management, has been under discussion in the Philippine Congress for more than a decade, and has not yet been passed into law. Until this is done, CBFM will always be vulnerable to alternative approaches, depending on the whims and desires of the DENR executive.

#### 4-3 Moving beyond policy formulation

The current approach to forest policy development continues to place particular emphasis on policy formulation with only very limited efforts being made to monitor and evaluate the efficacy of policy, once it is passed into law. Such a feedback mechanism is necessary in order to provide a basis for further refinement where policy is found not to work on the ground. To achieve better results, there is thus the need to extend the focus beyond policy formulation and put equal, if not more emphasis on monitoring and evaluating the effects of policy, as well as to establish an appropriate feedback mechanism to ensure a more dynamic and responsive policy development process.

### 5 Conclusion : making forest policies more responsive to local needs

A historical analysis of the development of forest policy in the Philippines highlights the trend from a highly regulatory, centrally controlled and industry-biased forest policy characteristic of the colonial period, towards a more decentralized, participatory and people-oriented approach that has typified the direction of policy over the last two decades. A number of different stakeholders have played a crucial role at various levels in formulating policy that has placed increasing emphasis on community involvement in forest management.

Given this rapid transition from a TLA-regulated mode of management to a community-based approach, the shaping of forest policy in the Philippines over the last two decades and in particular the formulation of CBFM, may be considered radical and progressive. How-

ever, whether such policy initiatives will persist and eventually lead to sustainable upland development, remains to be seen in the coming years. A deeper analysis of the current process of forest policy formation reveals three major concerns, namely, the challenge of building consensus among different policy actors, the urgent requirement for legislation which embodies the methods and objectives of CBFM, and the need to put more emphasis on the monitoring and evaluation of existing policies, rather than simply focusing on policy formulation.

Addressing these three issues, however, does not guarantee that forest policies will automatically become more responsive to local people's needs. Genuine reform in the policy process has to be associated with a corresponding shift in power. That is, modifying the processes and mechanisms into a more dynamic and responsive policy system requires that power be more equitably distributed across not only the traditional power bases, such as the State and its various agencies, but also throughout the more marginal groups of society. Civil society, and especially POs, must strengthen their political capacity and develop their human and economic resource base. This will put them in a stronger position for negotiation with other political actors in order to arrive at a policy consensus that will advance their own interests and welfare, and promote the sustainability of the forest resources upon which many of them depend. The process will certainly require that local groups establish alliances and partnerships with a wider range of stakeholders. The involvement of sympathetic and conscientious members of the government, as well as academic, private and international funding institutions, is required to ensure that the ability to influence policy decisions is extended to those who justly deserve it.

### References

- Boado, E.L. 1988. Incentive policies and forest use in the Philippines. In *Public policies and the misuse of forest resources*, edited by R. Repetto & M. Gillis, 165-204. New York : Cambridge University Press.
- Borlagdan, S.B., E.S. Guiang and J.M. Pulhin. 2001. Community-based forest management in the Philippines : A preliminary assessment. Project Report. Quezon City : Institute of Philippine Culture, Ateneo de Manila University.
- Broad, R. and J. Cavanagh. 1993. *Plundering paradise : the struggle for the environment in the Philippines*. Manila : Anvil Publishing, Inc.
- Byron, N. 1992. Forest policy in Asia : a review of country papers. Paper presented to FAO Asia Regional Forest Policy Workshop, Bangkok, Thailand, October, 1992.
- Community-Based Forest Management Office. 1998. *A compilation of policies on community-based forest management (CBFM)*. Quezon City : Department of Environment and Natural Resources.
- Cruz, MC. J. Population pressure, poverty, and deforestation : Philippines case study. Paper presented at the Asian Population Network Workshop on Population and Environment : Methods of Analysis held at Penang, Malaysia, 10-11 April 2000.
- Forest Management Bureau. 1998. Philippine forestry statistics.

- Quezon City : Department of Environment and Natural Resources.
- Fox, J. 1993. The tragedy of the open access. In *Southeast Asia environmental future*, 103-123. New York : United Nations University Press.
- Guiang, E.S. 2000. Efficacy of removing natural forests from timber protection as a strategy for conserving forests in the Philippines. Project Report. Bangkok : FAO.
- Kummer, D.M. 1992. *Deforestation in the postwar Philippines*. Quezon City : Ateneo de Manila University Press.
- Makil, P.Q. 1982. Toward s social-forestry oriented policy : the Philippine experience. Quezon City : Institute of Philippine Culture, Ateneo de Manila University.
- Magallonam, M.M. and Malayang B.S. III. 2001. Environmental governance in the Philippines. In *Environmental governance in Southeast Asia*. Tokyo : Institute of Global Environmental Strategies.
- Malayang, B.S. III. 2001. Environmental governance and forest policy in the Philippines : why the continuing debate over sustainable forest management. Paper presented to the Forestry Development Center 23<sup>rd</sup> Foundation Day, College of Forestry and Natural Resources, University of the Philippines Los Banos, College, Laguna, Philippines, June 27, 2001.
- Poffenberger, M. 2000. Communities and forest management in Southeast Asia. Berkeley : University of California.
- Poffenberger, M. and B. McGeen. 1993. Upland Philippine communities : guardians of the final forest frontiers. Research Network Report No. 4. Berkeley : Center for Southeast Asia Studies.
- Pulhin, J.M. 1996. Community forestry : paradoxes and perspectives in development practice. Ph D. dissertation, The Australian University, Canberra, ACT, Australia.
- Pulhin, J.M. 1997. Community forestry in the Philippines : trends, issues and challenges. In *Community forestry at a crossroads : reflections and future direction in the development of community forest* (Proceeding of an International Seminar held in Bangkok, Thailand), edited by M. Victor, C. Lang, & J. Bornemeier, 201-215. Bangkok : Regional Community Forestry Training Center.
- Pulhin, J.M. 2001. Community forestry for sustainable upland development : the case of the Philippines. Paper presented during the Global Change and Sustainable Development in Southeast Asia : A Regional Science-Policy Conference, Chiang Mai, Thailand, 17-19 February 2001.
- Pulhin J.M. and M.L.L.P. Gata. 2001. Creating space for local forest management : the Philippines' Bicol national park. Paper presented during the Regional Conference on Sustaining Upland Development in Southeast Asia : Issues, Tools & Institutions for Local Natural Resource Management, ACCEED Conference Center, Makati, Metro Manila, Philippines, 28-30 May 2001.
- Sabban, M.V.M. 1997. Community forestry and decentralization policies : reflections on experiences from the Philippines. In *Community forestry at a crossroads : reflections and future direction in the development of community forest* (Proceeding of an International Seminar held in Bangkok, Thailand), edited by M. Victor, C. Lang, & J. Bornemeier, 175-180. Bangkok : Regional Community Forestry Training Center.
- Sajise, P.E. 1998. Forest policy in the Philippines : a winding trail towards participatory sustainable development. In *A step toward forest conservation strategy (1) : Current status on forests in the Asia-Pacific region* (Interim Report 1998). The Institute for Global Environmental Strategies (IGES) : Tokyo.
- Sanvictores, E. 1997. Philippine forestry in the 21st century : challenges and prospects. In *Proceedings of the society of Filipino foresters : 49th anniversary and national convention*, 16-19. Manila : Society of Filipino Foresters.
- Tesoro, F.O. 1999. Community resource management as a strategy for sustainable economic development. DAI-NRMP Document No. 099-056-POL-014, 33 pages. Quezon City : Development Alternatives, Inc.-Natural Resources Management Program.
- Utting, P. 2000. Towards participatory conservation : an introduction. In *Forest policy and politics in the Philippines : the dynamics of participatory conservation*, edited by P. Utting, 1-10. Quezon City : Ateneo de Manila University Press.
- Vitug, M.D. 2000. Forest policy and national politics. In *Forest policy and politics in the Philippines : the dynamics of participatory conservation*, edited by P. Utting, 11-39. Quezon City : Ateneo de Manila University Press.

Appendix 1 Important Laws and Decrees Relating to Forestry.

Policy instrument	Form and year of issuance	Major focus and mandate
Revised Forestry Code of the Philippines	Presidential Decree No. 705 of 1975 as Amended by Presidential Decree No. 1559 of 1978	<ul style="list-style-type: none"> <li>Created the Bureau of Forest Development (BFD) with line authority</li> <li>Mandated the adoption of multiple use, selective logging system and land classification; delineation of forestlands and industrial tree plantations; identification of key conservation and reforestation strategies; conduct of census; and initial recognition of forest occupants</li> </ul>
The 1987 Philippine Constitution	Constitution of 1987	<ul style="list-style-type: none"> <li>Adopted the Regalian Doctrine</li> <li>Entitled the state to undertake on its own the development and utilization of natural resources or enter into co-production, joint venture, or production agreements</li> </ul>
Executive Order No. 192 (Reorganization of the DENR)	Executive Order with legislative and executive powers issued in 1987	<ul style="list-style-type: none"> <li>Downgraded the BFD from a line agency to a staff bureau</li> <li>Mandated the DENR to conserve, manage, develop, properly use, license, and regulate the use of natural resources</li> </ul>
Local Government Code	Republic Act No. 7160 of 1991	Partially devolved some functions of the DENR to the LGUs
National Integrated Protected Area Systems (NIPAS) Act	Republic Act No. 7586 of 1992	Allocated forestlands and forest resources as protected area systems for biodiversity purposes, preservation of habitats, watershed protection, and maintenance of ecological balance
The Law on Forest Charges on Timber and Other Forest Products	Republic Act No. 7161 of 1993	Mandated the government to increase forest charges for timber and non-timber forest products up to 25 per cent and 10 per cent of FOB prices, respectively
EO 263 (Community-Based Forest Management Strategy)	Executive Order of 1995, with no legislative power, issued in 1995	Mandated the DENR to adopt CBFM as the strategy for sustainable forestry and social justice
Indigenous Peoples Right Act	Republic Act No. 8371 of 1997	Mandated the government, through the newly created National Commission on Indigenous Peoples (NCIP), to recognize, protect, and promote the rights of indigenous peoples

Source: Guiang (2000).

## Appendix 2 Compilation of Policies relating to Community-Based Forest Management.

Policy instrument	Issuing Authority and Date of Issuance	Title of Policy
Executive Order No. 263	President of the Philippines (19 <sup>th</sup> July 1995)	Adopting Community-Based Forest Management as the National Strategy to Ensure the Sustainable Development of the Country's Forest Land Resources and Providing Mechanisms for its Implementation
DENR Administrative Order No. 96-29	DENR Secretary (1996)	Rules and Regulations for the Implementation of Executive Order No. 263, Otherwise Known as the Community-Based Forest Management Strategy (CBFMS)
DENR Memorandum Circular No. 97-11	DENR Secretary (1997)	Operationalization of the CBFM Programmes at the Regional, PENR and CENR Offices
DENR Memorandum Circular No. 97-12	DENR Secretary (1997)	Guidelines for the Formulation of Community Resource Management Framework and Annual Workplan for Community-Based Forest Management Areas
DENR Memorandum Circular No. 97-13	DENR Secretary (1997)	Adopting the DENR Strategic Action Plan for Community-Based Forest Management (CBFM)
DENR Administrative Order No. 98-10	DENR Secretary (14 <sup>th</sup> March 1998)	Guidelines on the Establishment and Management of Community-Based Forest Management (CBFM) Projects within Mangrove Areas
DENR Administrative Order No. 92-30	DENR Secretary (30 <sup>th</sup> June 1992)	Guidance for the Transfer and Implementation of DENR Functions Devolved to the Local Government Units
DENR Administrative Order No. 93-02	DENR Secretary (1993)	Rules and Regulations for the Identification, Delineation and Recognition of Ancestral Land and Domain Claims
DENR Memorandum Circular No. 93-13	DENR Secretary (22 <sup>nd</sup> February 1993)	Share of Local Government Units (LGUs) from the Utilization and Development of Forest Resources Within their Area of Jurisdiction
DENR Memorandum Circular No. 93-31	DENR Secretary (30 <sup>th</sup> September 1993)	Amendment to DENR Memo Circular No. 13, Series of 1993 re: Share of Local Government Units (LGUs) from the Utilization and Development of Forest Resources Within their Area of Jurisdiction
DENR Administrative Order No. 96-34	DENR Secretary (12 <sup>th</sup> November 1996)	Guidelines on the Management of Certified Ancestral Domain Claims
DENR Administrative Order No. 98-01	DENR Secretary (6 <sup>th</sup> January 1998)	Establishing the Forest Resource Securitization Strategy for Mobilization of Private Capital to Support Sustainable Forestry in the Philippines

## Appendix 2 Continued.

<b>Policy instrument</b>	<b>Issuing Authority and Date of Issuance</b>	<b>Title of Policy</b>
Executive Order No. 72	President of the Philippines (25 <sup>th</sup> March 1993)	Providing for the Preparation and Implementation of the Comprehensive Land Use Plans of Local Government Units Pursuant to the Local Government Code of 1991 and Other Pertinent Laws
DILG Memorandum Circular No. 95-94	DILG Secretary (10 <sup>th</sup> July 1995)	Initial Guidelines Accompanying the President's Memorandum Addressed to all Local Government Units dated 17 <sup>th</sup> June 1995 Entitled "Recommendations Raised During the Gathering for Human and Ecological Security: A Conference on Population, Environment and Peace"
DILG Memorandum Circular No. 95-130	DILG Secretary (30 <sup>th</sup> August 1995)	Supplementary Guidelines to Memorandum Circular 95-94 dated 10 <sup>th</sup> July 1995 on Initial Guidelines Accompanying the President's Memorandum Addressed to all Local Government Units dated 17 <sup>th</sup> June 1995 Entitled "Recommendations Raised During the Gathering for Human and Ecological Security: A Conference on Population, Environment and Peace"
DILG Memorandum Circular No. 96-143	DILG Secretary (1996)	Enjoining Support to the Community Forestry Program

Source: CBFM Office - DENR, 1998