



Republic of the Philippines  
Department of Environment and Natural Resources  
Visayas Avenue, Diliman, Quezon City  
Tel Nos. (632) 929-66-26 to 29 • (632) 929-62-52  
929-66-20 to 29 • 929-66-33 to 35  
929-70-41 to 43

AUG 31 2004

**DENR Administrative Order**  
No. 2004 - 32

**SUBJECT : Revised Guidelines on the Establishment and Management of Community-Based Program in Protected Areas**

Pursuant to Republic Act No. 7586 (National Integrated Protected Areas System (NIPAS) Act of 1992), DENR Administrative Order No. 25, Series of 1992 (Implementing Rules and Regulations of NIPAS Act), and Executive Order No. 263 (Adopting Community-Based Forest Management as the National Strategy to Ensure the Sustainable Development of the Country's Forestlands Resources and Providing Mechanisms for its Implementation), and to facilitate the implementation of the Community Based Program (CBP) in Protected Areas, DAO 2002-02 (Guidelines on the Establishment and Management of Community-Based Program in Protected Areas) is hereby revised.

**Section 1. Basic Policy.** It is the basic policy of the Department to promote the conservation of biodiversity and sustainable development in protected areas and buffer zones in order to maintain essential ecological processes and life support systems which will enhance peoples' capacity to sustain human life and development, as well as plants and animals.

Towards this end, the Department would provide tenured migrant communities and interested indigenous peoples within protected areas and buffer zones, tenure over established CBP areas, provided that the activities to be undertaken are consistent with the Protected Area Management Plan (PAMP).

**Section 2. Definition of Terms.** As used in this Order, the following shall mean:

**Allowable zones** – management zones of the protected area where sustainable development and/or resource utilization is allowed.

**Community Based Program (CBP)** - a program that gives opportunities to organized tenured migrant communities and indigenous peoples to manage, develop, utilize, conserve and protect the resources within the zones of the protected area and buffer zones consistent with the PAMP.

**CBP area** – portion of the allowable zones of the protected area and buffer zones where the CBP can be undertaken consistent with the PAMP.

**Community Resource Management Plan (CRMP)** – the plan of the Protected Area Community Based Resource Management Agreement (PACBRMA) Holder on how to manage and benefit from the resources in the CBP area on a sustainable basis.

**Integrated Protected Area Fund (IPAF)** – a trust fund established for purposes of financing projects of the NIPAS.

**Mangrove reserves** – areas covered under Proclamation No. 2152 (Declaring the entire province of Palawan and certain parcels of the public domain and/or parts of the country as Mangrove Swamp Forest Reserve) and all other areas proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order before the effectivity of the NIPAS Act.

**People's Organization** – a group of organized tenured migrant communities and/or interested indigenous peoples which may be an association, cooperative, federation, or other legal entity, established to undertake collective action to address community concerns and needs, and mutually share the benefits of the endeavor.

**Prior vested rights** – acknowledged claims, privileges, prerogatives, or ownership over land or natural resources to which one is entitled to by reason of law, license, contract, or tradition.

**Protected Area Community Based Resource Management Agreement (PACBRMA)** - an agreement entered into by and between the DENR and the organized tenured migrant communities or interested indigenous peoples in protected areas and buffer zones which has a term of twenty-five (25) years and renewable for another twenty-five (25) years.

**Protected Area Management Plan (PAMP)** – refers to either the Initial Protected Area Plan (IPAP) or the General Management Plan (GMP) which contains the rationale for the protected area establishment; proposed boundaries including buffer zones; and, designation of management zones, including buffer zones, with purposes, strategies and allowable uses.

**Tenured Migrant Communities** – group of persons who after the survey of the protected area occupants were verified to have been actually and continuously occupying a portion of the protected area for a period of at least five (5) years before the establishment of the same as such in accordance with the NIPAS Act and are solely dependent therein for subsistence. For the initial components of the NIPAS, the reckoning period of 5 years shall be June 1, 1992 and for additional sites for inclusion in the NIPAS, the reckoning period shall be from the issuance of the Presidential Proclamation establishing the site as a protected area.

**Restoration** – an activity which includes the planting of indigenous and/or endemic plant species in a specific area within the protected area or buffer zone with the objective of returning back as much as possible the original vegetation type.

offices/agencies, consistent with the Protected Area Management Plan and other relevant policies;

- 2.2.4 Formulate and implement an agreed equitable benefit-sharing scheme/s among its members;
- 2.2.5 Pay the required charges and other imposed resource use fees which shall accrue to the Integrated Protected Area Fund;
- 2.2.6 Enter into an agreement with government entities, private sector or civil society for developmental activities endorsed by the PAMB and consistent with the Protected Area Management Plan and the CRMP, and;
- 2.2.7 May execute an assignment, designation or allocation only among its individual members, families or groups, thereof, who are likewise qualified tenured migrants under the Republic Act No. 7586. All such assignments, designation or allocation shall, however, be subject to this PACBRMA and must comply with all pertinent environmental laws, rules and regulations.

**3. OTHER CONDITIONS**

- 3.1 The DENR shall give exclusive rights to the PACBRMA Holder in obtaining the permit to extract, utilize and dispose any allowed non-timber forest products such as but not limited to rattan, bamboo, vine, fruit, and tannin and timber from trees planted by the Holders themselves that are found within PACBRMA area, other than those covered by the CRMP, subject to prior rights and existing laws, rules and regulations. Provided that no cutting of naturally-grown trees shall be allowed.
- 3.2 All rights, interests and activities of the PACBRMA Holder within the CBP areas shall be governed by the principles of biodiversity conservation and sustainable development.
- 3.3 All plans, policies and guidelines affecting the CBP areas subsequent to the signing of this Agreement shall be mutually developed by the contracting parties with the endorsement of PAMB;
- 3.4 In the event that the terms and conditions of the PACBRMA should be modified or this Agreement be rescinded in part or in whole, in the interest of the public, general welfare, biodiversity protection and sustainable development, the PACBRMA Holder shall be entitled to just compensation equivalent to the value of all improvements introduced therein such as plants, soil and water conservation measures provided, however, that there should be no fault and/or negligence on the part of either both parties. The affected participants shall then be entitled to harvest and/or remove such improvements consistent with existing policies.

3.5 *(Provision for additional condition/s. but must be consistent with the PAMP)*

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**4. DURATION OF THE AGREEMENT**

This Agreement shall have a term of twenty-five (25) years counted from the date this instrument is executed and notarized and be eligible for renewal thereafter for an additional twenty-five (25) years subject to the endorsement of the PAMB and upon compliance by the

**This AGREEMENT made and entered into by and between:**

The Department of Environment and Natural Resources, for and in behalf of the Republic of the Philippines, herein represented by its \_\_\_\_\_ with Office address at \_\_\_\_\_ and hereinafter referred to as the DENR;

and –

The \_\_\_\_\_ herein represented by its Chairman/President, \_\_\_\_\_ with address at \_\_\_\_\_ and hereinafter referred to as the PACBRMA Holder.

**WITNESSETH**

**WHEREAS**, the DENR has the authority and jurisdiction over all protected areas in the country;

**WHEREAS**, the DENR promotes the conservation and sustainable development of biodiversity in protected areas and its buffer zones through sustainable development;

**WHEREAS**, the Community Based Program (CBP) shall be implemented in the sustainable-use zones, multiple-use zones, buffer zones or other appropriate zones of the \_\_\_\_\_ proclaimed under Presidential Proclamation No. \_\_\_\_\_/Republic Act No. \_\_\_\_\_ and consistent with the Protected Area Management Plan (PAMP);

**WHEREAS**, the CBP shall include the following components: (a) rehabilitation/ restoration; (b) habitat protection; (c) conservation of resources; (d) development of alternative livelihood opportunities not necessarily dependent on forest resources; (e) sustainability of renewable resources being developed and utilized; and, (f) other activities that may be identified in the future and consistent with the Community Resource Management Plan (CRMP) of the area; and in conformity with the Initial Protected Area Plan, subject to revision upon approval of the General Management Plan of the concerned protected area;

**WHEREAS**, the Protected Area Community Based Resource Management Agreement (PACBRMA), in accordance with the provisions of Republic Act No. 7586, and DAO No. \_\_\_\_\_, is the tenure instrument to the (a) people's organizations whose members are qualified tenured migrants, and (b) interested indigenous people who opt to participate in the community based projects within protected areas;

**WHEREAS**, the Protected Area Management Board (PAMB) of \_\_\_\_\_ endorses the PACBRMA of \_\_\_\_\_ with attached specifications of the designated CBP area, through PAMB Resolution No. \_\_\_\_\_ dated \_\_\_\_\_.

**NOW THEREFORE**, for and in consideration of the foregoing premises, the DENR shall allow the development and management of \_\_\_\_\_ in \_\_\_\_\_ situated in \_\_\_\_\_ Municipality of \_\_\_\_\_, Province of \_\_\_\_\_ with technical description and approved map which form an integral part of this PACBRMA No. \_\_\_\_\_, which is within the \_\_\_\_\_ subject to valid and existing vested rights, existing laws, policies, rules and regulations and PAMP of the protected area, under the following terms and conditions:

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offices/agencies, consistent with the Protected Area Management Plan and other relevant policies;

- 2.2.4 Formulate and implement an agreed equitable benefit-sharing scheme/s among its members;
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- 3.4 In the event that the terms and conditions of the PACBRMA should be modified or this Agreement be rescinded in part or in whole, in the interest of the public, general welfare, biodiversity protection and sustainable development, the PACBRMA Holder shall be entitled to just compensation equivalent to the value of all improvements introduced therein such as plants, soil and water conservation measures provided, however, that there should be no fault and/or negligence on the part of either both parties. The affected participants shall then be entitled to harvest and/or remove such improvements consistent with existing policies.
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**Watershed** - all areas proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order as watershed before the effectivity of the NIPAS Act.

**Section 3. Scope and Coverage.** The Community-Based Program shall be established to provide opportunities to organized tenured migrant communities and interested indigenous peoples to manage, develop, utilize, conserve and protect the resources within the protected area and its buffer zone. The tenure instrument shall be issued only within multiple use, sustainable use and buffer zones. The organized tenured migrant communities may engage in protection and restoration activities in other allowable zones consistent with the PAMP.

**Section 4. Creation of the PAMB-CBP Committee.** The Protected Area Management Board (PAMB) shall create a PAMB-CBP Committee which shall handle all matters relating to the Community Based Program. The Committee shall be composed of the Regional Technical Director (RTD) for Protected Areas, Wildlife and Coastal Zone Management Service (PAWCZMS) of the DENR as chair, with members from the Local Government Unit/s concerned and selected PAMB members. They shall be appointed by the Regional Executive Director (RED) concerned.

**Section 5. Stages of the CBP implementation.** There are four stages in the establishment and management of a Community-Based Program in Protected Areas. They are the: (1) preparatory stage; (2) People's Organization formation and provision of security of tenure; (3) planning stage; and, (4) implementation stage.

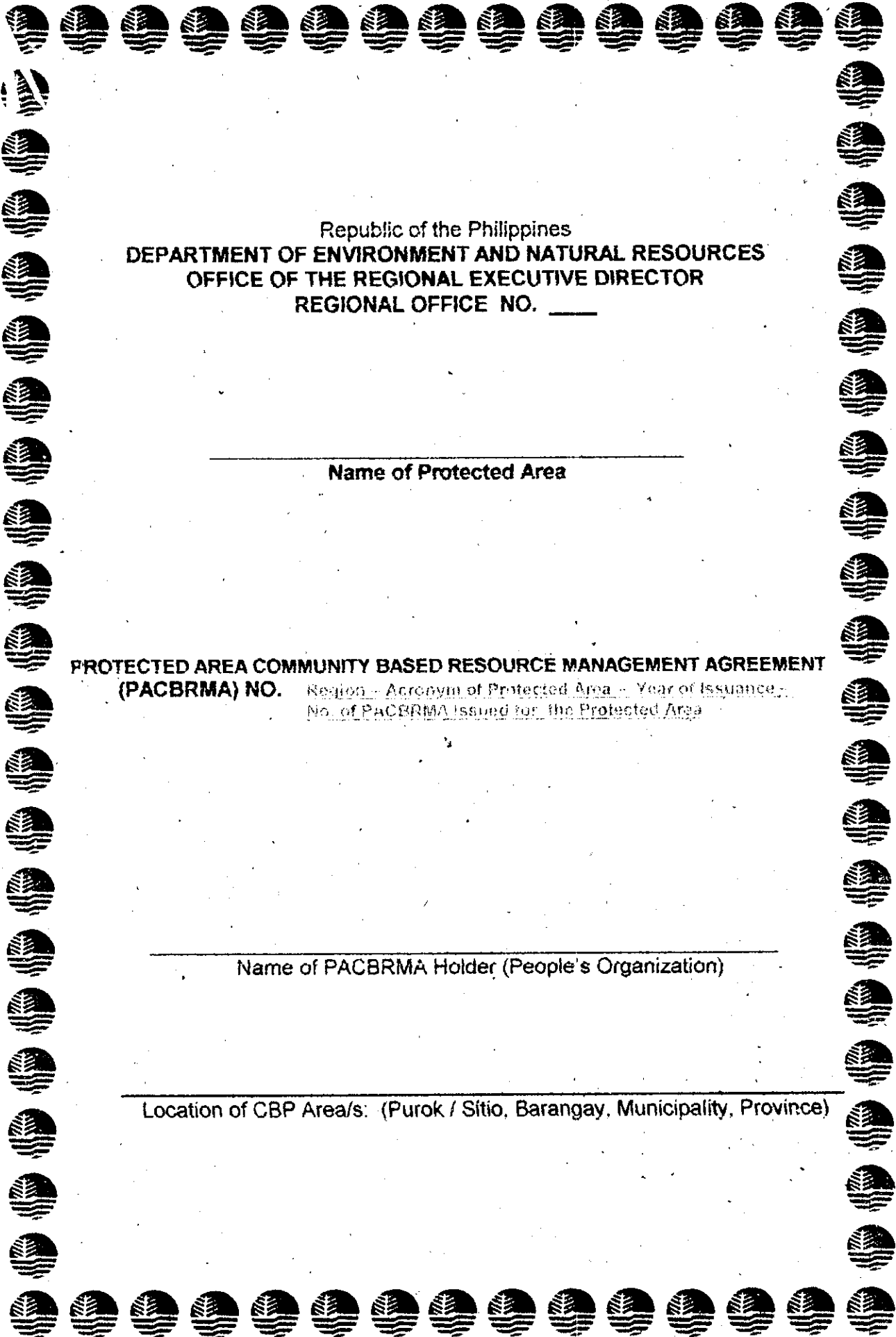
**5.1. The Preparatory Stage.** It involves generating awareness for the program, forming a strategic collaboration of all sectors concerned and identification of the CBP areas.

**5.1.1. Information, Education and Communication Campaign (IEC).** The RTD for PAWCZMS, as lead, Community Environment and Natural Resources Officer (CENRO) and Protected Area Superintendent (PASu) shall conduct IEC to inform, educate and acquire support from sectors concerned on the CBP. They shall undertake a continuing systematic orientation of the local communities, local government units, local units of relevant government agencies, civil society organizations and financing institutions on CBP matters.

**5.1.2. Institutional Linkages.** The RTD for PAWCZMS, as lead, CENRO and PASu shall promote the active participation of various agencies and organizations to meet the objectives of the CBP. They shall give high priority in establishing and forming partnerships among agencies and organizations, both public and private.

**5.1.3. Identification of CBP Areas.** The PAMB with the PASu shall identify CBP areas within the allowable zones of the protected area and buffer zone using as bases the results of the Survey and Registration of Protected Area Occupants (SRPAO), Resource Based Inventory (RBI) and Protected Area Management Plan

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Republic of the Philippines  
**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**  
**OFFICE OF THE REGIONAL EXECUTIVE DIRECTOR**  
**REGIONAL OFFICE NO. \_\_\_\_\_**

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**Name of Protected Area**

**PROTECTED AREA COMMUNITY BASED RESOURCE MANAGEMENT AGREEMENT**  
**(PACBRMA) NO.** Region - Acronym of Protected Area - Year of Issuance -  
No. of PACBRMA Issued for the Protected Area

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**Name of PACBRMA Holder (People's Organization)**

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**Location of CBP Area/s: (Purok / Sitio, Barangay, Municipality, Province)**



**5.2.3. Application, processing, and approval of the PACBRMA.** The PO shall submit its application for a PACBRMA to the PASu. The following requirements shall be submitted:

- a. Accomplished application form;
- b. Certificate of Registration of the PO;
- c. List of officers or in the case of indigenous people, list of council of elders or other similar indigenous governing body in the area;
- d. List of members, including address and complete name of spouse, if any, and certified by PAMB as qualified tenured migrants; and;
- e. Resolution from the members of the PO allowing its president or head to file the PACBRMA application or in the case of indigenous peoples, proof of consent from the council of elders or other similar indigenous governing body of their interest to apply for the PACBRMA.

PAWB shall prepare and disseminate to the RED the prescribed format of the requirements for the PACBRMA application, five (5) working days after the approval of this Order.

Upon submission of the requirements, the PASu shall fully explain to the PO the provisions of the PACBRMA. He/she shall review the application and other requirements and endorse them to the PAMB within fifteen (15) working days upon receipt hereof. Within thirty (30) working days upon receipt of the PACBRMA application, the PAMB through the CBP Committee, shall convene and discuss with the PO the terms and conditions of the Agreement and through a resolution, endorse the same to the RED.

**5.2.4. Approving authority.** The RED shall complete the review of the PACBRMA application endorsed by the CBP Committee within three (3) working days upon receipt hereof. If found meritorious he/she shall approve the application with the area not exceeding 15,000 hectares. The RED shall endorse to the Secretary through Protected Areas and Wildlife Bureau (PAWB) the PACBRMA application with more than 15,000 hectares.

For control purposes, the PACBRMA shall be numbered as follows: Region – Acronym of the protected area – Year of Issuance – Agreement Number. The numbering should be continuous with the protected area concerned.

**5.3 The Planning Stage.** After the issuance of the PACBRMA, the PO (PACBRMA Holder) shall prepare the CRMP. The CRMP shall describe the PO's long term vision, aspirations, commitments and strategies for protection, rehabilitation, development and sustainable utilization of the resources within the protected area.

**5.3.1 Preparation of the CRMP.** The PASu and CENRO shall assist the PO (PACBRMA holder) in the preparation of the CRMP. The CRMP shall be consistent with the PAMP and other relevant policies, rules and regulations.

In case the CRMP includes resource extraction, a 5-year plan of activities shall be prepared. The indigenous peoples have the option to prepare an Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) in lieu of the CRMP.

The PAWB shall prepare the procedure on the preparation of the CRMP within thirty (30) working days from the effectivity of this Order.

**5.3.2 Affirmation of CRMP.** The PAMB shall endorse the CRMP to the RED for affirmation. The affirmation shall confirm that it has been prepared in a participatory manner, active participation of the DENR, and, approval of the plan.

**5.4 Implementation Stage.** This stage shall implement the CRMP and the 5-year plan of activities; enhance organizational and institutional capacities; ensure economic viability of resource management activities; ensure the flow and equitable benefits to PO members; ensure the build-up of capital by the PO for sustainability.

**Section 6. Community-Based Forest Management Agreements (CBFMAs) Issued in Protected Areas.** For proclaimed watersheds and mangrove reserves with CBFMAs, their implementation shall continue. Provided, that the resource utilization shall conform with the Protected Area Management Plan (PAMP).

The RED through the RTD for PAWCZMS shall take the lead in the monitoring of the implementation of such CBFMAs and the provision of technical assistance, in close coordination with the Forestry Management Service. Moreover, he/she shall inventory all existing Protected Areas-Community Based Forest Management Program activities and determine their status.

**Section 7. Monitoring and Evaluation.** The PAMB, through the PASu and in coordination with the CENRO concerned, shall monitor the compliance of the terms and conditions of the PACBRMA. The PASu shall submit biannual reports to the Regional Office on the CBP implementation in the protected area.

The Regional Office, through the RTD for PAWCZMS, shall undertake periodic monitoring and evaluation in the implementation of the CBP in protected areas within its jurisdiction. The RED shall submit biannual report to the Secretary, through PAWB, on the implementation of the Program.

The PAWB shall monitor and evaluate the national CBP implementation of the DENR to identify issues and lessons learned; draft policies, guidelines and procedures on CBP; and, develop and maintain Program database.

**Section 8. Termination or Cancellation of the PACBRMA.** The grounds for termination or cancellation of the Agreement shall be as follows:

- a) Neglect or violation of the terms and conditions of the Agreement, after being notified in writing within one (1) month by the RED on behalf of the PAMB;
- b) Violation of environment and natural resources laws, rules and regulations;
- c) Conversion of the CBP area or portions thereof, to other uses not authorized in the Protected Area Management Plan; and,
- d) When the national interest so requires as determined by the DENR Secretary.

The RED shall constitute an investigation team to be chaired by the RTD for PAWCZMS for the purpose. During the investigation of any of the aforementioned grounds, the RED may suspend the Agreement.

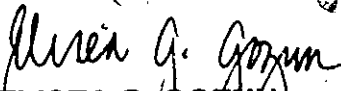
In case a PACBRMA has been nullified, all improvements and development in the area shall be turned-over to the PAMB.

**Section 9. Fund Allocation.** The DENR shall allocate the necessary fund for the implementation of this Order. All fees to be collected by the DENR from the CBP implementation shall accrue to the Integrated Protected Area Fund.

**Section 10. Separability Clause.** If any part or section of this Order is held invalid, all other provisions, parts or sections not affected thereby shall remain in force.

**Section 11. Repealing Clause.** This Administrative Order modifies DAO No. 96-29 or the Implementing Rules and Regulations of Executive Order No. 263 in so far as protected areas are concerned and repeals DAO No. 2000-44 and DAO 2002-02. All other orders, memoranda and circulars which are inconsistent herewith are likewise revoked or amended accordingly.

**Section 12. Effectivity.** This Order shall take effect immediately after its publication in a national newspaper of general circulation.

  
**ELISEA G. GOZUN**  
Secretary

PUBLISHED: MALAYA  
SEPTEMBER 10, 2004