

**[DENR ADMINISTRATIVE ORDER NO. 2004-32,
August 31, 2004]**

**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 people's 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 - acknowledge 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.

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 Management 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 (PAMP). The PAMB, through the PASu, shall submit the identified CBP areas to the RTD for PAWCZMS. The latter shall prepare a preliminary map identification of the CBP sites using the protected area map with management zones and submit it to the RED, for approval, ten working days upon receipt of the documents.

5.1.4 Processing of conflicting Claims. Adverse claimants or any party alleging conflicting claims over the identified CBP area, or portions thereof, shall file their complaints before the RED.

The RED shall create an arbitration group with the RTD for PAWCZMS, as