

**[DENR ADMINISTRATIVE ORDER NO. 2002-02,
JANUARY 3, 2002, January 03, 2002]**

**ESTABLISHMENT AND MANAGEMENT OF COMMUNITY-BASED
PROGRAM IN PROTECTED AREAS**

Pursuant to Republic Act No. 7586, otherwise known as the National Integrated Protected Areas Act (NIPAS Act) as implemented by DAO No. 25 series 1992, requiring a management planning strategy of protected areas and providing protection to qualified tenured migrant communities and Interested Indigenous people; and, EO No. 263 entitled "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", this Administrative Order is hereby promulgated:

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 plant and animal life.

Towards this end, it is the policy of the Department to provide qualified tenured migrant communities and interested indigenous people within protected areas, tenure over established Community-Based Program areas, provided that the activities to be undertaken are consistent with the Protected Area Management Plan.

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

a) **Integrated Protected Area Fund** — a trust fund established for purposes of financing projects of the National Integrated Protected Areas System in relation to Section 12 hereof.

b) **People's Organization** — a group of qualified tenured migrant communities and/or interested indigenous peoples which may be an association, cooperative, federation, or other entity, consciously established to undertake collective action to address community concerns and needs and mutually share the benefits of the Community Based Program.

c) **Protected Area Management Board (PAMB)** — a multi-sectoral body created in each protected area vested with powers to decide the allocations for budget, approve proposals for funding and decide matters relating to planning, peripheral protection and general administration of the protected area in accordance with the general management strategy, among others.

d) **Protected Area Management Plan** — refers either to the initial Protected Area Plan or the General Management Planning Strategy, prepared for each protected

area which contains management issues, strategies, land and resource use prescriptions and activities.

e) **Qualified Tenured Migrant Communities** — a group of persons who after the survey of the protected area occupants 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 initial components of the National Integrated Protected Areas System (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.

f) **Prior vested rights** — acknowledged and valid claims, prerogatives, or ownership over land or natural resources existing before the passage of the NIPAS Act for the initial components of the NIPAS and before the Presidential Proclamation for the additional sites for inclusion in the NIPAS to which one is entitled to by reason of a previously existing law, contract, permit or tradition.

SECTION 3. Scope and Coverage. — This Order establishes the Community Based Program (CBP) which shall provide the opportunity to organized tenured migrant communities and interested indigenous peoples to manage, develop, utilize, conserve and protect the resources in designated CBP area, subject to prior vested rights, with activities consistent with the Protected Area Management Plan. The CBP areas, including its management zones, resource and land uses, shall be consistent with the Protected Area Management Plan.

SECTION 4. Procedure on the CBP Implementation. — The CBP shall have the following stages:

4.1. **Preparatory stage.** This shall include information, education campaign, institutional linkage with Local Government Units and other stakeholders and, identification of CBP areas.

4.2. **People's organization formation and diagnostic stage.** This shall include the application of qualified tenured migrant communities and/or interested Indigenous people to participate in the CBP, community appraisal and formation and issuance of the tenurial instrument. The tenured migrant communities shall be registered with the Security and Exchange Commission or Cooperative Development Authority or other recognized agency which registers an organization. Only the organized tenured migrant communities and indigenous people are qualified to participate in the CBP.

4.3. **Planning stage.** This shall include the preparation of the Community Resource Management Plan (CRMP) by qualified organized tenured migrant communities and interested indigenous people.

4.4. **Implementation stage.** This shall include the implementation and management of planned activities specified in the CRMP.

The CBP shall be Implemented by the PAMB through the Protected Area Superintendent (PASu) and in coordination with the concerned Community

Environment Natural Resources Officers (CENROs).

SECTION 5. Tenurial Instrument. — The tenurial instrument, which shall be called Protected Area Community-Based Resource Management Agreement (PACBRMA), shall be Issued to the People's Organization after completion of all the requirements enumerated below. The Agreement shall have a duration of twenty-five (25) years and renewable for another 25 years. Annex I ^[1] is the prescribed format of the PACBRMA which shall be strictly followed.

The requirements for the application, processing, approval and amendments on the prescribed format of the Agreement shall be done as follows:

5.1 Requirements for Application. The following requirements shall be submitted to the PASu:

5.1.1. Qualified Tenured Migrant Communities

1. Accomplished application form
2. Certificate of Registration
3. List of officers
4. List of members, including address and complete name of spouse, if any, and certified by PAMB as qualified tenured migrants; and,
5. Resolution from the members of the People's Organization allowing its president or head to file the application for PACBRMA

5.1.2 Interested Indigenous People

1. Accomplished application form;
2. Certification from the National Commission of Indigenous People (NCIP) as recognized indigenous people staying in the protected area;
3. List of council of elders or other similar indigenous governing body in the area;
4. List of names of the indigenous people; and,
5. Proof of consent from the council of elders or other similar indigenous governing body of their interest to apply for the PACBRMA.

5.2. Processing of application. — The PASu, within thirty (30) working days upon receipt of the application form and other requirements, shall evaluate the application of the People's Organization/Indigenous people, reflect its CBP area on the CBP map and endorse it to the PAMB. The PAMB-CBP Committee, within thirty (30) working days upon receipt of the documents, shall convene and discuss with the concerned People's Organization/Indigenous people the terms and conditions of the Agreement.