

A Review of the Multi-Sectoral Forest Protection Committees in the Philippines

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Accelerating forest destruction in the Philippines led, in the post-Marcos era, to some major reforms in forest governance and management. A participatory approach to forest monitoring was adopted, involving the establishment of 'Multi-Sectoral Forest Protection Committees' (MFPCs). These provided a means to involve civil society and other concerned parties in a programme that aimed both to conserve and protect the forests and improve the livelihoods of the people. This paper discusses how this new governance strategy responded to the pressing problems in forestry and, in so doing, provides lessons which may be applied to other forest settings.

Policy Conclusions

- A perceived environmental crisis and a climate of radical political change are highly conducive to bringing an extractive industry under public control.
- Where the forest sector offers multiple benefits, control of illegal logging will inevitably require broad public participation at both the individual and institutional levels.
- Adequate public resources are a key requirement for the management of public goods, and a major factor in ensuring sustainability; without this, environmental controls run the risk of being captured by partisan interests.
- Heightened public awareness on the causes and impacts of illegal logging increases the public support and demand for greater control over illegal logging – which, in turn, benefits the state agencies, both in terms of image enhancement and effectiveness.
- Environmental controls are more effective when combined with suitable incentives for development.
- Addressing such high-profile issues as illegal logging can have significant knock-on effects on the overall quality of public governance.

Historical Background

The Philippine State was enshrined as the owner of lands and natural resources through royal decrees issued under Spanish rule more than 300 years ago. These decrees effectively led to the erosion of the indigenous system of land tenure and ownership depriving local communities of rights to own land in favour of the exclusive rights granted to the colonial government and local elites (Pulhin 2002). This mode of forest governance was subsequently reaffirmed under the American and Japanese regimes and then consolidated in the immediate post-colonial period (1946 to 1980). By the 1950s the logging industry had become very lucrative and timber licenses proliferated. The country became a major exporter of tropical timber by 1959, accounting for almost one third of the world's market for logs harvested from nearly 4.5 million hectares of forests. By early 1970, the forest area devoted to timber harvesting peaked at around 10.5 million hectares. More than one third of the country's total land area was controlled by around 460 logging companies. At the height of logging boom in the 1960s and early 1970s, the rate of deforestation in the

country was also at its highest, averaging 270,000 hectares annually. By the early 1980s only about 10 million hectares of the country's original forests of 27 million hectares remained (Boado 1988). During this time, commercial logging continued to move along the downward path that had begun in the mid 1970s, as witnessed by the sustained reduction in the number of licensees (by almost 22 licensees per year). This sounded the alarm over the abusive and inequitable system of forest utilisation. Calls for reform in forest governance and management echoed across the nation and opened the door for new players to get involved in forest governance. This was amplified by the rapid growth of activism and advocacy by NGOs and civil society for improved forest governance after the 'People's Revolution' of 1986. The 1986 revolution ushered in the beginning of the end of the stranglehold of privileged few over forest lands in the country. This was further boosted by the enshrinement in the 1987 Philippine Constitution (Article II Section 16 and 23) and in the Executive Order 192 of the Philippine President (Section 5h No. 5 and 6) of the responsibility of every citizen to protect the natural patrimony of the country and the empowerment of the people for increased participation in governance.

With the shift of the government's policy from purely state and corporate-driven forest governance to the more participatory mode characterised by greater involvement of the local communities and other stakeholders, the 'multi-sectoral forest protection initiative' was conceived. Its early roots lay in a number of government promulgations including the Presidential Decree 705 ('the Forestry Reform Code' of 1975), and subsequently the National Law Enforcement Committee of 1984. These policies brought together different government agencies for the protection, development and rehabilitation of forest lands. However, despite such initiatives, the forests continued to decline under increasing population pressure in the uplands and sustained commercial logging throughout the country.

To arrest the depletion of forest resources, the Department of Environment and Natural Resources (DENR) sought the assistance of the World Bank to finance the Environment and Natural Resources Sector Adjustment Loan (ENR-SECAL) which aimed at forest protection and upland development. The Multi-sectoral Forest Protection Committee (MFPC) was conceived within the Monitoring and Enforcement Component (MEC) of the programme, as a forest protection strategy.

Expansion and Operation of the MFPC Programme

The success of the pilot MFPCs prompted the DENR to form at least one regional MFPC in each of the 16 regions in the Philippines, and thereafter, MFPCs at provincial, municipal and barangay levels (the barangay is the lowest level of government administration in the Philippines). The number of MFPCs grew to 64 by the end of 1995, 200 by 1997, and 314 by 1999. Its members were initially selected by DENR consultants from various government organisations (GO), non-government organisations (NGO), the media, church, indigenous communities, local communities, local government units (LGU), academe, youth groups and civic groups. They were selected without the promise of any remuneration except for *per diems* to cover basic attendance costs.

As a forest protection strategy, the MFPC programme is directly under the supervision of the DENR Undersecretary for Field Operations. Its chairmanship was initially given to DENR officials. Later on, it was handed to non-DENR personnel, with DENR officials serving as co-chairs at all levels. To provide technical support to the MFPCs, Technical Working Groups (TWG) of DENR personnel were formed at the national, regional, provincial and municipal levels. In 1994, the National MFPC Federation was formed as the umbrella organisation of all the MFPCs, nationwide. It is responsible for governing the MFPC programme's affairs and for policy making.

While the tasks of MFPCs at different levels vary according to their scale of operation, they all have common basic functions. These are to:

- Serve as a collection point for information on illegal logging in the MFPC catchments;
- Act as a special monitoring arm of the DENR;
- Organise an information and education campaign (IEC);
- Mobilise member's networks in support of forest protection; and
- Publicise the committee's discussions and findings except where confidentiality is required.

The operations of the MFPC programme, as contained in the Manual of Operating Procedure (MOP), include (*inter alia*):

- policy review and implementation;
- assessment of existing forest protection operations and activities;
- identification of critical areas;
- forest surveillance and monitoring, apprehension and confiscation of illegal products;
- information and education campaign;
- livelihood development.

The operational mandates of MFPCs therefore extended beyond merely monitoring to include policy review and enforcement as well as development activities. The broad scope of their work made MFPCs appear as a comprehensive solution to the complex problem of illegal logging. This led to the demand for their expansion in many areas. However, few MFPCs showed significant success in their monitoring work in the early years, as their almost free-ranging tasks curtailed monitoring effectiveness in many areas. Human and financial resources were not adequate to support all the anticipated activities.

Sustainability of the MFPC Programme

Most of the ENR-SECAL funds were used to cover the expenses of the TWG and its Secretariat, all of them DENR employees. The rest of the members of MFPCs worked on

a voluntary basis. Finding adequate funds to keep the MFPCs going has been an increasingly critical issue.

DAO 96-39 stated that MFPC funds could come from various sources. Non-DENR MFPC members were permitted to source funds from non-DENR organisations and agencies. Alliances with other entities such as the Department of Education and Department of Trade and Industry were forged through joint implementation of projects and programmes consistent with, and supportive of, the MFPC ToR. MFPCs also had the option of seeking funding from local government units. Despite all these options, most of the MFPCs folded when the ENR-SECAL Programme closed in 1999, due to the inadequacy of funds. The ground was evidently not well prepared for MFPCs to grow as financially independent and self-reliant bodies, post-ENR-SECAL. The few MFPCs that survived beyond the ENR-SECAL Programme operated through the resources contributed by different sectors represented in the committee. While this did serve to keep them going, it also increased their vulnerability to 'capture' by sectional interests.

From 1997, support for MFPCs was incorporated in the yearly budget allocations of DENR. However, this was too limited to be of significance in sustaining the operations of most of the committees. At its height in 1997, the operating budget allocated by the DENR for the operation of MFPCs in all regions except Region 7 was only 3.9 million pesos (about 110,000 US dollars). This amount was supposed to cover the expenses needed to organise MFPCs in seven regions and strengthen the committees already formed in eleven regions resulting in an average of 557 US dollars per committee per year. Considering the scope of work of MFPCs, this amount allowed for two months of operation at most.

Financial constraints were overcome in certain areas. For example, in Region 2, a critical mass of environmentally-conscious and concerned bodies other than the DENR and allied government agencies sustained the continuous operation of the regional MFPC programme. The MFPC programme continued in operation using external resources even after the end of the financial assistance provided by the ENR-SECAL.

One factor which helped explain the continuation of MFPCs in some areas, but not others, was the presence of local government leaders with the political will to neutralise illegal forestry activities. In some provinces, they provided the initiative and leadership to enforce laws governing forestry. A good working relationship with the DENR was also essential to sustained success.

Legitimacy and Credibility of MFPCs

The multi-sector nature of the MFPCs sent a clear message to the public that the government, particularly the DENR, was serious in its intention to control illegal forestry activities. This made the MFPC programme readily acceptable to, and earned the support of, the community of legitimate forest stakeholders. Their popularity was only increased by the prospect of additional support for alternative livelihood development which was promised to upland communities (where illegal logging is a common source of income). Such support eventually faded as the implementation of the livelihood component failed to materialise due to the lack of government funds. It is interesting to speculate how the results could have been even more positive had the government carried out forestland tenure reforms alongside livelihood development,

to further benefit the small scale illegal loggers in areas where MFPCs operated. Whatever limited funds were available could have been used to provide secure tenure to those engaged in illegal logging. For instance, long term community-based forest management agreements could have been forged with upland communities dependent mainly on illegal forestry. The long-term assurance of benefits from the forests provided for in the agreements could have promoted more responsible forest resource use among the upland communities. Meanwhile the MFPCs could have provided the necessary oversight, as well as assistance, in linking the communities to funding sources.

The credibility and legitimacy of the MFPCs was built on the integrity of their members. Even before an MFPC was formed, all concerned groups that were viewed as potential members were carefully screened so that only those with demonstrated genuine concern for the forests and the environment were invited to join. The participation of institutions other than government also enhanced the trustworthiness of MFPCs. The church, for instance, lent its image, which helped generate popular support and respect for the committee. The presence of NGOs and media representatives in the MFPCs also gave extra credibility and legitimacy to its programmes.

On the negative side, the multi-sectoral nature of MFPCs also created some problems. The most notable is the tendency of dominant members to impose their own advocacy agenda on the committee, which was somewhat at odds with the independence sought in their ToRs. This was observed in several MFPCs where advocacy by some NGOs and media persons for a total logging ban rivaled the primary monitoring mandate of the committee. In some areas, there are claims that the involvement of LGUs in the MFPCs impinged on the effectiveness of the committee due to the alleged participation of LGU executives in illegal logging.

Impacts of the MFPC Programme

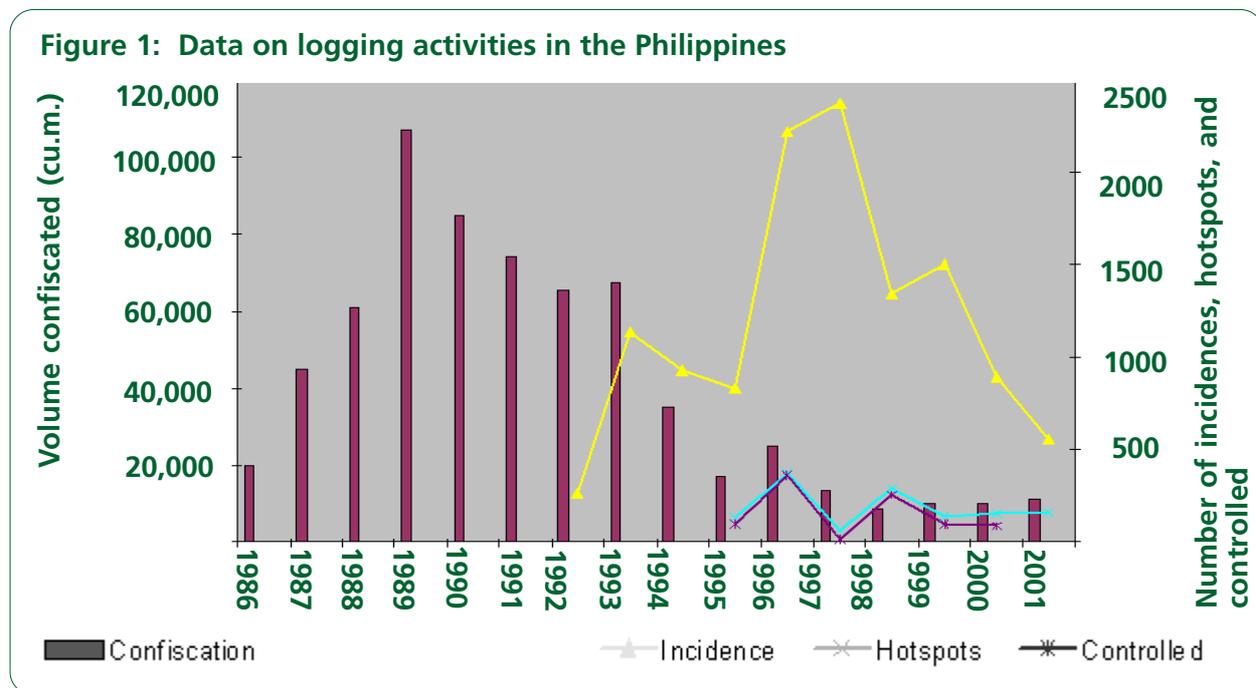
According to the report of the national TWG, the major accomplishment of the MFPC programme was the collection of critical information and intelligence reports that led to the neutralisation of 919 out of 1,321 illegal logging hotspots in the country between 1995 and 2001

(Figure One). Figure One also shows that the incidences of illegal logging (i.e., illegal logging actually monitored) apparently increased as the operation of the MFPCs intensified. From a low of 262 incidents in 1992, it climbed to more than 2,000 in 1996 and 1997. Interestingly, the trend in volume of illegal logs went the opposite direction. This could be an indication of the success of MFPCs in helping to stop the big illegal logging activities, resulting in a major decline in the volume of wood in the system. However, at the same time small-scale illegal logging increased. In the Northern Philippines, MFPCs claimed that their operations reduced the number of Timber License Agreement (TLA) holders involved in illegal logging activities in their region. At the same time, they reported an increasing frequency of apprehensions involving small scale illegal loggers. This could well have been a case of opportunistic behaviour by the former workers of the large-scale illegal loggers who, upon the cessation of their employment, switched to poaching in order to fill the void.

One notable accomplishment of the MFPC programme was its success in bringing together different institutions with varying interests towards the goal of forest protection. This catalysed the formation of partnerships among the DENR, LGUs and other non-government bodies that was founded on trust, transparency, shared responsibility and mutual respect, and had important knock-on benefits in the pursuit of forest conservation.

Most MFPC members considered the elevated awareness of forest protection and conservation issues gained by the local communities as their main achievement. This was demonstrated in the greater willingness of the people to participate in forestry conservation programmes, and greater vigilance in warding off illegal natural resource use. The DENR also benefited from the reputational gains that came from greater public appreciation and trust.

Albeit indirectly, the impact of the MFPCs can also be seen in the emergence of several new groups and organisations motivated to protect the environment. Examples of these are the environmentally-oriented media-based and sponsored programmes such as *Bantay Kalikasan* ('Environment Watch'), the formation of 43 *Barangay Bantay Gubat* ('Forest Watch' groups), the institution of Police Environmental Desk Officer (PEDO) primarily responsible



for forest law enforcement, and creation of multi-partite monitoring teams for specific industries. In terms of governance, the MFPCs strengthened the participation of LGUs in the protection of the forests within their jurisdiction. Furthermore, the multisectoral co-management model created by the partnership of DENR, LGU and other sectors continues to inspire other LGUs in the country to take a more active role in forest management in close collaboration with other stakeholders.

Lessons Learned

An MFPC programme can be considered effective if it is able to discharge its functions properly on a fairly regular basis, and with a certain degree of success in reducing the illegal logging activities in its area of operations. Key indicators that determine success are:

- a critical mass of motivated organisations and individuals;
- technical capability;
- financial independence;
- support from media, DENR, LGUs and other bodies;
- enough power and authority to enforce forest laws;
- a full programme for forest protection and development;
- easy access to reliable maps, records and other basic information.

Control of illegal logging was one of the primary concerns of MFPCs. Throughout the implementation of ENR-SECAL, incidences of large-scale illegal logging were reduced. However, small-scale illegal logging activities increased - revealing the complexity of the illegal logging sector in the country. A full understanding of the illegal forest activities is therefore paramount in developing measures that will effectively stop violations without closing out opportunities for legitimate forestry to flourish. It can also be gleaned from this experience that the MFPC programme is not the sole solution but only a part of the solution to the problem of illegal forest activities.

Forests have many stakeholders. The participation of various parties in forest monitoring has had some success as shown by the experiences of MFPCs. Nevertheless, other forestry-related problems, particularly in the area of policy and programme implementation, remain. The forest violations that MFPCs tracked on the ground are in all probability manifestations of badly conceived and implemented policies and programmes. There is a need to reform the process of forest policy and programme formulation and implementation to close opportunities and incentives for illegal activities. Broadened participation of various concerned stakeholders is essential to this undertaking.

The MFPC programme exists to help law enforcement in the short term, and to facilitate sustainable forest management in the long term. According to several key informants, most of the MFPCs were focused largely on law enforcement and less on providing extension services and facilitation of livelihood development. To be more relevant and responsive to the needs and problems in forestry, the MFPC programme needs to evolve from its predominantly policing role to a more developmentally-oriented agency. The equitable development that could result from this would hopefully create an environment that is less conducive to illegal forestry, even without extensive policing efforts.

Conclusions

The MFPC approach was a radical shift in the way forest laws were enforced in the Philippines. In more than a decade of operation, it has demonstrated potential as an effective strategy for forest protection. The multi-sectoral precedent that it set served as a model to the many evolving schemes of partnership between the DENR and other stakeholders like the LGU, NGO, local communities, and the private sector. The MFPC programme was also instrumental in changing the law enforcement strategy of DENR from a highly regulatory, centralised and confrontational agency to a much more developmental, participatory and constructively empowering one.

The DENR acknowledges that the concept of MFPCs could be used as an effective strategy not only for forest protection but also for improving forest management. Crucial to this is the support given by the local communities, NGOs, and even forest-based industries. This swelling support, alongside sustainable sources of funds, holds the key to the long-term success of the approach.

The MFPC programme is a monitoring model that evolved when the economic and political landscape in the country was moving toward greater participation of the people in governance catalysed by the social revolution which overthrew the dictatorship of Ferdinand Marcos. Essential to its formation was the presence of various institutions and sectors of civil society with a commitment to the forest. This created legitimacy, ensured equity, and fostered harmony and unity amid divergent voices. It is the expectation of many that MFPCs will remain to be a vital force in the fight to neutralise the threats of illegal forestry in the Philippines. However this leaves us with an interesting question as to whether this kind of approach can be adapted to other contexts without the benefit of the radical changes that the Philippines saw in the decade of the '1980s'.

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