



Alternative Dispute Resolution Committee

RESOLUTION NO. 2023-07

REMINDER AND REITERATION OF ISSUANCE OF ORDER OF COMPROMISE AGREEMENT (OCA) AND ORDER OF SETTLEMENT OF AGREEMENT (OSA) BY THE REGIONAL OFFICES AND PROVINCIAL ENVIRONMENT AND NATURAL RESOURCE OFFICES AND UPLOADING THE SAME TO THE ALTERNATIVE DISPUTE RESOLUTION MONITORING AND RESULTS SYSTEM (ADR-MRS).

WHEREAS, pursuant to Section 31 of DAO 2016-30 or the Guidelines in the Conduct of Alternative Dispute Resolution (ADR) in Land Management and Disposition, and to fully implement the ADR system in the Department, when amicable settlements or compromise agreements are reached by parties with cases pending before the Office, it is mandatory that the Provincial Environment and Natural Resources Officer (PENRO) or the Regional Executive Director (RED), having jurisdiction on the pending claims and conflict cases, issue an Order of Compromise Agreement/Order of Amicable Settlement (OCA/OSA), which serves as a final and executory order to finally dispose of the case;

WHEREAS, per the ADR-MRS that enables real-time monitoring of the results of the ADR processes conducted by the ADROs nationwide, as of 10 October 2023, a total of 588 cases were reported where parties have reached a compromise/settlement, of which, only 174 cases were issued with an OCA/OSA;

WHEREAS, pursuant to Section 14 of DAO 2016-31 or the Procedure in the Resolution and Investigation of Land Claims and Conflicts Cases, the PENRO or RD (sic) xxx shall have fifteen (15) days from termination of the ADR process xxx within which to determine if the agreement is not contrary to existing rules and regulations;

WHEREAS, the attached spreadsheet file indicated as (Annex A) contains the list of offices with compromise/amicable settlement agreements settled by parties as facilitated by our ADROs/third-party neutrals;

WHEREAS, additionally, each Order of Compromise Agreement/Amicable Settlement must be reported in the ADR-MRS by attaching the appropriate form in the File Attachments Menu of the System through the user account of the PENRO and/or RED;

WHEREAS, the ADR Committee Secretariat has briefed the ADROs during their training and has provided them with the ADR-MRS User's Manual for their use and reference;

WHEREAS, it is expected that the accredited ADROs shall utilize the System and must be guided with the User's Manual when cases are referred to them for ADR process;


WHEREAS, from a series of meetings on the Inclusion of ADR Proceedings as Indicator in the Strategic Performance Management System (SPMS) for CY 2023, the

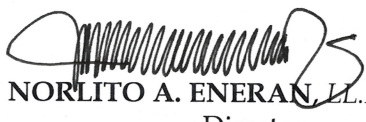
ADR Committee issued a Resolution to remind and reiterate the REDs and PENROs on the issuance of Order of Compromise Agreement (OCA) and/or Order of Settlement of Agreement (OSA);

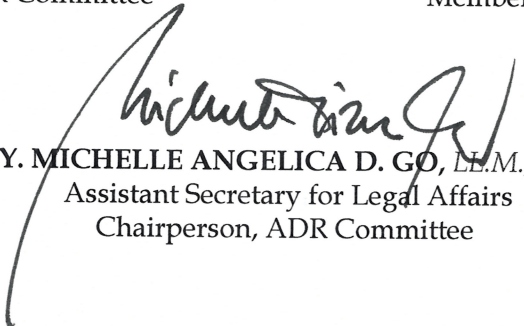
RESOLVED, AS IT IS HEREBY RESOLVED, to remind and reiterate the issuance of Order of Compromise Agreement (OCA) and Order of Settlement of Agreement (OSA) in the Regional Offices, Provincial Environment and Natural Resource Offices (PENRO), as mandated by DAO 2016-30.

RESOLVED FURTHER, to disseminate copies of the attached Annex B on the Guide applicable to all offices issued 04 November 2022 Clarifying and Supplementing Instruction on the Issuance of Order of Compromise Agreement or Order of Amicable Settlement for Cases that Reached a Compromise Agreement/ Amicable Settlement, for the proper guidance of the pertinent offices that issue OCA/OSA for guidance.

ADOPTED during the 27th ADR Committee Meeting on 10 October 2023, in Quezon City, Metro Manila, Philippines.


ATTY. EMELYNE V. TALABIS, CESO IV
Director
Land Management Bureau
Member, ADR Committee


NORLITO A. ENERAN, LL.M. CESO III
Director
Legal Affairs Service
Member, ADR Committee


ATTY. MICHELLE ANGELICA D. GO, LL.M., CESO II
Assistant Secretary for Legal Affairs
Chairperson, ADR Committee