



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



MEMORANDUM

14 NOV 2023

TO : All Regional Executive Directors
CAR, NCR, Regions 1-13

Attn: Provincial Environment And Natural Resources Officers
(PENROs)

Abra	Masbate
Agusan del Sur	Mindoro Occidental
Aklan	Mindoro Oriental
Antique	Misamis Occidental
Apayao	Misamis Oriental
Aurora	Mountain Province
Batangas	Negros Occidental
Benguet	Negros Oriental
Biliran	North Cotabato
Bohol	Northern Samar
Bukidnon	Nueva Ecija
Bulacan	Nueva Vizcaya
Cagayan	Palawan
Camarines Norte	Pampanga
Camarines Sur	Pangasinan
Camiguin	Quezon
Capiz	Quirino Province
Cebu	Rizal
Compostela Valley	Romblon
Davao del Norte	Sarangani
Davao del Sur	Sorsogon
Davao Oriental	South Cotabato
Eastern Samar	Southern Leyte
Guimaras	Sultan Kudarat
Ifugao	Suriagao del Norte
Ilocos Norte	Surigao del Sur
Ilocos Sur	Tarlac
Iloilo	Western Samar
Isabela	Zamboanga del Norte
Kalinga-Apayao	Zamboanga del Sur
Laguna	Zamboanga Sibugay
Leyte	

All ADR Focal Persons
All Focal ADR Officers

FROM : The Assistant Secretary
Legal Affairs
Chairperson, ADR Committee

SUBJECT : 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 (PENRO) AND UPLOADING THE SAME TO THE ALTERNATIVE DISPUTE RESOLUTION MONITORING AND RESULTS SYSTEM (ADR-MRS)

Pursuant to Section 31 of DAO 2016-30 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 an Order of Compromise Agreement/Order of Amicable Settlement (OCA/OSA) be issued by the following offices:

1. the Provincial Environment and Natural Resources Office (PENR Office), (when the compromise agreement/amicable settlement occurred at the CENR Office level), or
2. the Regional Office (when the compromise agreement/amicable settlement occurred at the PENR Office level).

The OCA/OSA serves as a final and executory order to finally dispose of the case.

As of 10 October 2023, data from the ADR Monitoring and Results System (ADR-MRS) which enables real-time monitoring of the results of the ADR processes conducted by the ADROs nationwide shows that a total of 583 cases were reported where parties have reached a compromise/settlement. From that number, only 173 cases were issued with an OCA/OSA;

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;

Attached for your reference are the following:

1. Annex A - matrix of offices with cases settled, but without OCA/OSA;
2. Annex A-1 - summary of the Annex A matrix;
3. Annex B - Guide 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;
4. Annex C - ADR 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 (PENRO) and Uploading the same to the Alternative Dispute Resolution Monitoring and Results System (ADR-MRS)."

Further, for the proper utilization in the conduct of ADR Proceedings, please see attached ADR Committee Resolution 2023-04 Modifying ADR Form 10 on Order of

Settlement Agreement and Form 17 on Decision/Order Based on Compromise Agreement.

For strict compliance.


ATTY. MICHELLE ANGELICA D. GO, LL.M., CESO II

Cc:

ATTY. ERNESTO D. ADOBO JR., CESO I
Undersecretary for Legal and Administration

ATTY. JUAN MIGUEL T. CUNA, CESO I
Undersecretary for Field Operations - Luzon, Visayas and Environment

JOSELIN MARCUS E. FRAGADA, CESO III
Undersecretary for Field Operations - Mindanao