



THE IMPLEMENTATION OF ANTI-ILLEGAL LOGGING LAW IN EASTERN VISAYAS: AN ASSESSMENT

ANGELYN LABUTAP-NOBLE¹, JEZREEL B. VICENTE²

<https://doi.org/0000-0001-9751-4187>

angelyn.noble@vsu.edu.ph¹, jezreelvicente88@gmail.com²

Visayas State University Tolosa, Tanghas, Tolosa, Leyte, Philippines¹

Philippine College of Criminology, Sta. Cruz, Manila, Philippines²

DOI: <https://doi.org/10.54476/ioer-imrj/798897>

ABSTRACT

Illegal logging contributes to conflicts with the local populations, political violence, funding armed conflicts, and worsening poverty. The main objective of this study was to determine the extent of the implementation of anti-illegal logging law in Eastern Visayas. Also, it aimed to identify the actions of the implementing agencies to the illegal logging activities and the reasons why they persist. Purposive sampling was utilized to identify the eighteen forest protection officers from PENRO and CENRO of DENR and fifty-one police personnel in selected police stations. An explanatory sequential mixed method was employed in this study, using a combination of quantitative and qualitative descriptive approaches. The findings revealed that forest law enforcers implemented the anti-illegal logging law in Eastern Visayas. The study further revealed no significant difference in the perception of the forest protection officers and the police respondents regarding the implementation of anti-illegal logging law. The actions taken by the implementing agencies were in coordination with other implementing agencies, anti-illegal logging operations conducted, apprehension, confiscation of logs, wood, chainsaws, and conveyances, and appropriate charges filed towards timber poachers. The reasons why the problems persist were the lack of livelihood programs, timber poaching as a regular occupation, economic and political factors, minimal penalties, inadequate manpower, and noncooperation of the community. Thus, the anti-illegal logging law should be further carried out to protect the forest and the people's general safety.

Keywords: Criminology, Anti-illegal logging law, mixed methods, Philippines

INTRODUCTION

Unauthorized tree cutting from forests, frequently in protected areas, without permits, licenses, or complete documentation, has been a problem and is regularly committed by individuals or groups of individuals in violation of national and international laws, which has a significant negative impact on the environment, the economy, and society globally. Illegal logging is the leading cause of the degradation of the country's forests (WWF, 2021). It includes the harvesting, transporting,

processing, buying, or selling of timber in violation of national laws (EUFLEGT, 2020). It is a huge problem and a threat to natural resources, and it inflicts great damage on people, societies, and the environment. It violates environmental laws and must be prevented and controlled to protect and conserve the forests.

The study of Robinson et al. (2010) also noted that the literature on fines initially indicates that the preference should be given to a high level of fine and low probability of detection (as detection is costly). However, they stress that more recent

literature has concluded that the combination of the lower level of fine and high probability of detection is preferable.

The Department of Environment and Natural Resources Office 8 recorded 329 incidence apprehensions of timber poaching from January 2019 through March 2021. In 2019, there were 81 incidences of apprehension in Eastern Visayas, 196 reported timber poaching activities in 2020, and 52 apprehension incidences from January to March 2021. PENRO Leyte has reported the topmost incidence of apprehension on timber poaching from 2019 to March 2021 with a total incidence apprehension of 107, followed by Northern Samar with a total of 74, Eastern Samar with a total of 46, Biliran with 39 reports of apprehension, Samar with the total of 34 and the least number of reported timber poaching in Southern Leyte with a total of 29 (DENR 8, 2021). The information shows that timber poaching is committed in the whole region and different municipalities. Therefore, the illegal cutting of trees is a threat to natural calamities and a risk to the local communities, their safety and security, and wildlife living near the areas is vulnerable to illegal logging activities.

The Forest law enforcers play a significant role in preventing or severely limiting illegal logging, without compromising their lives and families. Promoting forest stewardship may work effectively to aid vulnerable forest areas in Eastern Visayas. The forest law enforcers should utilize and implement certain provisions of the Revised Forestry Code of the Philippines for environmental protection.

The implementation of anti-illegal logging laws must be strengthened and enhanced for the safety and security of the community. Strict implementation and zero illegal logging activities in the region may help protect the people's lives, economic resources, livelihoods, health and wellness, wildlife, climate change, natural calamities, and social well-being.

The study is supported by relevant theories, philosophies, and key concepts that explain and give the research direction on implementing the anti-illegal logging law. This includes the implementation theory, general strain theory, philosophy of intergenerational cultural

transmission, retributive justice, the principle of integrity, the concept of sustainable forestry, "Do no harm" concept, forest stewardship, and Presidential Decree No. 705. The study was anchored on the implementation theory, which stated that implementation needs to be understood from the outset as a process – that is, a continuous and interactive accomplishment – rather than an outcome. The general strain theory has attempted to specify the factors that increase the likelihood that individuals will cope with strain by committing timber poaching. The result of the study is anchored on the philosophy of intergenerational cultural transmission, which is the process of learning through which the values, standards, norms, etc., of a culture, are passed on to succeeding generations. Also, the "retributive justice" theory states that if a person breaks the law, they should suffer in return.

The concept of sustainable forestry as the practice of regulating forest resources is an application of environmental sustainability. In terms of environmental ethics, the concept of "Do no harm" is a first duty toward the environment not to harm, that the trees must stand still without harming them. Similarly, forest stewardship entails an approach to management that meets the needs of the current owners but does not detract or degrade the use by future generations. Also, Presidential Decree No. 705, s. 1975 is a decree known as the Revised Forestry Code of the Philippines that will help in the protection, development, management, regeneration, and reforestation of forest lands (P.D. 705). The study assessed implementing anti-illegal logging laws in Eastern Visayas for environmental sustainability. In this context, implementers like forest protection officers and PNP personnel play a significant role in conserving and protecting natural resources. Therefore, anti-illegal logging laws should be implemented to protect the forest and the people's general safety.

The study results will be beneficial, especially at the municipal and barangay level, that they may be enlightened that their cooperation can help protect the environment by simply cooperating with the DENR and PNP. Also, the researcher may gain insights from the conduct of the study by exposing herself in the making and formulation of the study, specifically in determining the responses



employed by the forest law enforcers, the challenges encountered, and other recommendations from the participants to combat illegal logging. Future researchers who want to conduct similar studies may use this study to reference the extent of implementing anti-illegal logging laws in the Eastern Visayas region.

OBJECTIVES OF THE STUDY

The study was focused on assessing the implementation of the anti-illegal logging law in Eastern Visayas among the selected forest protection officers and PNP personnel. Specifically, the following questions were in this study;

1. To determine the extent of implementation of the anti-illegal logging laws in Eastern Visayas as perceived by the forest protection officer and PNP personnel
2. To identify the actions of the implementing agencies to the illegal logging activities.
3. To determine the problem of why illegal logging persists despite the actions of the implementing agencies.
4. To determine the actions taken to address the study's findings.

METHODOLOGY

The researchers used explanatory sequential mixed methods by combining qualitative and quantitative data collection and analysis to expand and strengthen the study's findings. The researchers used an explanatory sequential approach to follow up the quantitative data in the subsequent interpretation and clarification of the results from the quantitative data analysis. Sixty-nine (69) respondents participated in the study. Eighteen (18) forest protection officers from PENRO and CENRO of DENR and fifty-one (51) police personnel in selected police stations answered SOP 1 to SOP 4. Purposive sampling was used for the selection and identification of the 69 respondents. The police involved in the study were those assigned to the selected police stations in Eastern Visayas regardless of their gender and

served at least ten (10) years in the PNP. The forest protection officers were those assigned in the law enforcement division in either CENRO or PENRO of DENR Offices, served at least three (3) years, knew the implementation of the anti-illegal logging law, had the knowledge and first-hand experiences regarding the issue that could provide reliable information on the problem of timber poaching incidence.

The researchers used the questionnaire checklists to gather pertinent information. The tool validator established the validity of the questionnaire. The reliability of the questionnaire checklist was determined using Cronbach's Alpha by a statistician. There were seven (7) participants from the forest protection officers of CENRO and PENRO of DENR and nine (9) PNP personnel in the selected police stations in Eastern Visayas. The sixteen (16) participants for the reliability test were not part of the actual participants. Also, the researcher used the interview guide to provide insights regarding the extent of implementation, the actions done to the illegal logging activities, the problems why it persisted despite the actions taken by the implementing agencies, and determined actions taken to improve the implementation of the anti-illegal logging law for environmental protection and conservation.

The researchers wrote a letter that was later approved by the adviser, graduate school coordinator, and the Dean of the Graduate School, University of Baguio. Likewise, communication letters were addressed to the PENR Officer, DENR-PENRO in the six provinces, and the six Chief of Police of selected police stations to seek permission. Upon approval of the request, the researcher proceeded with the data gathering.

First, the researchers conducted an inquiry to identify who would serve as participants for the study based on the needed information and they were informed about the research objectives. The data gathering started after the participants voluntarily and willfully agreed to participate. The researcher floated the survey checklists to the sixty-nine (69) respondents, and written interviews were conducted with sixty-four (64) participants. The researcher was not permitted to enter the offices for safety because data gathering was during the

lockdown caused by the Covid-19 pandemic. The five (5) participants from the DENR office were interviewed face-to-face since the PENRO Maasin City permitted the conduct of personal interviews. All participants answered the survey questionnaire checklists and interview guide. All data were consolidated and analyzed with confidentiality.

The weighted mean was used to determine the extent of implementation in SOP 1. The researchers used a four-point rating scale. Each category has its own descriptive and corresponding weight as indicated. The mean difference was utilized using a t-test to determine the significant difference in the responses from the two groups of respondents. In the second part of the study, the researchers organized the responses from the written and formal interviews and these were transcribed verbatim and translated into English. The audio recordings or soft copies and written records would be kept and discarded after a year.

The researcher used the thematic analysis method in line with qualitative research approaches. There was a six-step process; the researchers familiarized the two data groups by reading the text and taking initial notes. Then, generated the codes by highlighting various phrases and text from the written and formal interview responses. Next, the researchers identified themes from the highlighted codes. The chosen themes were reviewed to ensure that the themes were accurate representations of the data. Finally, the researchers wrote the data analysis to reveal the study's significant findings.

The researchers provided for an informed consent signed by the respondents before data gathering. The researcher respected the participants' anonymity by keeping their identity and using pseudonyms like "D-1" for DENR personnel participant 1 and "P-1" for PNP participants. The researchers kept the participants' answers in confidential files, used only for this study, and no other persons accessed the recorded files except the researchers.

RESULTS AND DISCUSSION

1. The Extent of Implementation of the Anti-Illegal Logging Law in Eastern Visayas

The findings revealed that the extent of implementation is much implemented with an overall weighted mean of 3.00 from the general responses of the respondents. It indicates that forest protection officers and PNP personnel promote sustainable environmental practices against forest loss and illegal forest activities such as timber poaching in Eastern Visayas. The forest protection officers and the PNP personnel collectively work towards achieving environmental protection and conservation by strengthening efforts to prevent timber poaching.

The top-ranking indicators based on the computed mean among the 69 respondents are as follows: (1) confiscation of timber products that are illegally cut (mean=3.59); (2) charging penalties to any person who possesses timber without a license (mean=3.55); and confiscation of machinery, equipment, implements, and tools in the area where timber found (mean=3.45). The findings imply that the forest protection officers and selected PNP personnel carried out the anti-illegal logging law with the joint efforts of different agencies and the LGUs such as the barangay captain and tanod in the area, specifically in confiscating the implements, timber products, and charging penalties towards the violators. The action taken by the forest enforcers is always implemented and done.

Protecting the forest resources from deterioration, impairment, and depletion, managing the concession area, regulating the use of timber in all other classes of lands and wood processing facilities, conducting a timber inventory in other lands with standing or felled timber, taking part in the development of alienable and disposable lands and civil reservations, getting witnesses for official investigations, and other activities are also heavily implemented.

Additionally, the respondents provided the same responses regarding the implementation of measures for forest protection, such as the imposition of fines for the illegal occupation or destruction of forest or grazing lands, the imprisonment of those found guilty of burn farming, the imposition of monetary penalties for the unlawful occupation of the National Park System,



and the imposition of monetary penalties for the unlawful occupation of recreation areas.

It means that those who cut down trees in forests, national parks, and recreational areas face fines and other suitable punishments from the DENR. It implies that the law is applied impartially and against the perpetrator. In addition to the punishments, the offender will also likely be automatically removed from their position if they work for the government. The employee will therefore be ineligible to hold any elective or appointed position.

2. The Extent of Implementation of Anti-Illegal Logging Law as Perceived by the Forest Protection Officers and PNP Personnel

The assessment on the extent of implementation of anti-illegal logging laws indicates that the forest protection officers and the PNP personnel perceived as much implemented in the implementation of anti-illegal logging laws. It means that the forest protection officers and the PNP personnel greatly implemented the anti-illegal logging laws. However, the forest protection officers seldom implemented certain P.D. 705 in Eastern Visayas.

The forest protection officers group of respondents gave an overall mean of 3.20, interpreted as much implemented. At the same time, the PNP personnel provided a mean rating of 2.93, interpreted as much implemented, the same as the rating given by the forest protection officers. The findings above indicate that the two groups of respondents implemented the anti-illegal logging law.

3. The significant difference in the perception among the two groups of respondents

The mean difference was utilized using a t-test at a 5% significance level. The forest protection officers obtained an overall mean of 3.20 while the PNP personnel with 2.93 overall means. The forest enforcers have a higher mean than the PNP personnel, though with the same interpretation. It indicates that the forest protection officer had a

similar assessment on the extent of implementation of the anti-illegal logging law in Eastern Visayas.

Table 1
Significant difference in the perception between two groups of respondents

Group	N	Mean	SD	t-comp	p-value	Decision
Forest Protection Officer	18	3.20	0.53	1.841	.075	Failed to reject H0
PNP Personnel	51	2.93	0.57			

4. The Actions of the Implementing Agencies to the Illegal Logging Activities in Eastern Visayas

4.1. Coordination with Other Implementing Agencies

Coordinating with other implementing agencies was the action done specifically by the Department of Environment and Natural Resources (DENR) as the primary agency mandated to protect and conserve natural resources. It indicates that it is important to coordinate with the DENR and the Philippine National Police (PNP) to curb the timber poaching incidence in Region 8. On the part of the forest protection officers of the DENR 8, they cannot effectively implement and conduct the operation without the help of the PNP personnel. According to them, they do not carry firearms.

4.2. Anti-illegal Logging Operations Conducted

Relative to the timber poaching activities, the DENR forest protection officers and their forest rangers in the team and PNP personnel coordinated first with the implementing agencies, verified the reports on timber poaching first how true the information was before they conducted the operation in the forest. The operation conducted in the reported areas is where timber poaching

activities exist. During the operation, the police personnel arrested the suspects confiscated the logs, and brought the confiscated logs to the DENR office for custody and for filing appropriate cases against the offender.

4.3. Timber Poachers Apprehension

After the anti-illegal logging operations conducted by the forest protection officers of CENRO and PENRO of the DENR and the PNP personnel, if the perpetrator is committing timber poaching, that is the time to effect arrest against the perpetrator. The arrest is also the action the implementing agencies took to seize the person involved in timber poaching. It is usually done by the authority to deprive the violators of their freedom of movement even without a warrant if caught in the act. But suppose the violator was reported to the police station and verified to have violated such anti-illegal logging law. In that case, he/ she will be arrested through a warrant of arrest. The honorable judge issued this kind of arrest.

As stated in the study of Wahid et al. (2015), the forest is one of the determinants of life support systems. The forest must be preserved because the forest has a strategic role in balancing the global environment providing great benefits for humanity.

4.4. Confiscation of logs, wood, chainsaws, and conveyances

To confiscate as an authority figure is to take something away, often as a penalty. The PNP personnel, after identifying the owner recovers the illegally cut lumber from the place of incidence, and the forest products will be confiscated. They will be turned over to the DENR for proper disposition. If the owner is unknown, it will be declared as abandoned because some of the owners, once they notice that the forest enforcers are responding to the reported logs in the forest, immediately run or escape from the police personnel and the forest protection officer to avoid arrest and imprisonment. These unclaimed logs are donated to the government offices as construction materials or repairs in favor of the government. Those are

also donated to police stations, public schools, and correctional institutions.

4.5. Filed Appropriate Charges against the Timber Poachers

The respondents filed appropriate charges against the offender. In CENRO and PENRO of the DENR Eastern Visayas, they filed appropriate charges against the suspects allegedly engaged in illegal cutting of trees with violations of the Revised Forestry Code of the Philippines to deter would-be offenders. It was an effective method to minimize, if not eliminate, timber poaching activities in the region.

4.6. Prevailing Reasons for Committing Timber Poaching

Forest law enforcement's dedication and hard work in implementing anti-illegal logging laws are not enough to eliminate the timber poaching activities in the six (6) provinces of Eastern Visayas. The violators have their reasons and motives for violating the laws despite the implementing agencies' actions, responses, and methods.

4.7. Lack of Alternative Livelihood Programs

For a population to survive, there is a need for livelihoods to sustain and support their households. The result of the study indicated that lack of livelihood is one of the reasons why timber poaching activities still exist in Eastern Visayas despite the actions of the implementing agencies. The respondents pointed out that the lack of legal livelihood programs offered to the community living near the forest land areas, is a driving factor that urges the residents to commit timber poaching, especially those in the interior barangays who depend on timber poaching as their livelihood.

4.8. Timber Poaching as an Established Occupation

Timber poaching in some parts of Eastern Visayas is considered an established occupation by the residents because they have been doing it for a

long period and were influenced by previous residents making timber poaching a permanent job. Timber poaching in a specific part of Samar is widely accepted, recognized, and followed by many people. It was until today that it is already a violation of the law. Today, the DENR, the PNP, and other implementing agencies are joining forces to curb illegal logging in the region.

4.9. Economic Factor

If people believe that they will benefit from timber poaching, they are more likely to engage in an illegal act. Economic factors such as poverty, unemployment, and economic gain explore the reasons behind timber poaching. People would have higher motives to offend if they felt social pressure, such as supporting their families and obtaining a large amount of money. Economic reasons were the underlying issues in the analysis of responses regarding the dependence on forests for survival and big profit from illegal business.

Research findings also indicated that timber poaching became prevalent during the COVID-19 pandemic in upland barangays. During this trying time, individuals commit timber poaching for survival. The findings support the strain theory wherein pressure derived from social factors, such as lack of income or quality education drives individuals to commit a crime.

4.10. Political Intervention

Intervening politicians who are protecting timber poaching activities by paying bribes in selected areas in Eastern Visayas is among the reasons despite the actions done by the implementing agencies. The study's findings revealed that timber poaching activities exist because personalities protected them and promised them that they would be protected against apprehension and arrest. The protector is revealed to be an official of the concerned agencies protecting timber poaching activities.

4.11. Minimal Penalties on Timber Poachers

Imposing a minimal amount of bail to the timber poachers is found to be the reason why despite the implementing agencies, timber poaching still exists. Timber poachers chose to violate P.D. 705 because the amount they earn from timber poaching activities is larger than the amount of bail if the authorities catch them. They tend to commit timber poaching because they can pay the bail from the illegal profit from timber production. The respondents' statements corroborate the problem that despite the actions taken by the implementing agencies, timber poaching still exists.

4.12. Inadequate manpower

Maintaining an adequate staff size is essential to implementing agencies' ability to ensure social order, fight crime, and, increasingly, deliver a widening range of social services. Lack of forest protection was found to be the reason why timber poaching still exists despite the implementing agencies in Eastern Visayas. The study indicated that the lack of necessary human resources to implement the provisions of P.D. 705 effectively is the dominant factor of timber poaching. Many forests are located in remote and inaccessible areas, making monitoring difficult, and there are only a few forest personnel.

4.13. Noncooperation of Community Residents

The forest protection officers and the PNP personnel are far from the areas of incidence, so, without the community's help, combating timber poaching is only a dream. The result shows the lack of participation of the community residents to be the problem in implementing anti-illegal logging laws. The study revealed that without the community's help, especially the forest dwellers who can easily observe timber poaching, timber poaching would continue to persist, and the forest would not be conserved.

CONCLUSIONS

Anti-illegal logging laws in Eastern Visayas were often implemented greatly by both the DENR



and the PNP personnel. However, timber poaching continues to persist despite the efforts of the implementing agencies. The forest law enforcers were risking their life safety and security to attain the objective of forest sustainability.

The implementing agencies employed coordination, timber poaching operation, apprehension, charged the timber poachers and confiscated timber, machines, and conveyances towards the perpetrator. However, the methods employed were insufficient for the violators to abide by the anti-illegal logging law. The current law did not deter the crime, and the strategies employed did not prevent the occurrence of timber poaching.

Lack of livelihood programs, timber poaching as a regular occupation, economic factors, intervening politicians, inadequate manpower and penalties, and noncooperative community residents were prevailing problems in implementing anti-illegal logging laws. These problems caused local conflicts, political violence, and even physical injuries. The worst is the death of the forest law enforcers and this problem makes it even harder to prevent timber poaching.

Therefore, the action plan was made to improve the implementation of the anti-illegal logging law to eliminate timber practices in the forest with the enhanced implementation of the law, sustainable livelihood among poor households, strengthened manpower, fear of arrest and punishment, good governance, and intensified community engagement in the prevention of illegal logging.

RECOMMENDATION

Based on the findings and conclusion, the following are recommended by the researcher:

1. The forest law enforcers from the DENR and the PNP must have intense cooperation in forest monitoring, surveillance, and LAWIN patrol for better responding to illegal logging cases in Eastern Visayas.
2. The CENRO DENR must purchase requested drones and cameras for the forest law enforcers to monitor remote forest

areas to implement the anti-illegal law better.

3. The human resource office of the DENR and the PNP must organize capability building that includes training relative to forest laws and operational techniques to gain more knowledge and skills among forest implementers.
4. The barangay council, together with the DENR, must organize an active and cooperative forest watcher from the local people's group to monitor the forest by patrolling, clearing out invasive plants, and assisting in tree growth.
5. The DENR and the PNP must adopt an action plan to provide long-term and sustainable solutions to the challenges encountered and curb timber poaching activities in the Eastern Visayas by presenting the results during meetings or conferences and giving them a copy of the results of the study.
6. Future researchers may conduct similar research relevant to the collaborative strategies and best practices of forest law enforcers in timber poaching prevention.

REFERENCES

- Arima, E.Y., Barreto, P., Araújo, E., & Soares-Filho, B. (2014). Public policies can reduce tropical deforestation: lessons and challenges from Brazil Land Use Policy, 41, 465-473.
- Börner, J., Kis-Katos, K., Hargrave, J., & König, K. (2015). Post-crackdown effectiveness of field-based forest law enforcement in the Brazilian Amazon. *PLoS one*, 10(4), e0121544.
- Department of Environment and Natural Resources Regional Office 8. (2021). DENR Files. <https://r8.emb.gov.ph/category/writeups/page/2/>
- EU FLEGT (2020). Illegal logging. <https://www.euflegt.efi.int/illegal-logging>

Presidential Decree No. 705 (1975). PD No. 705. Official Gazette of the Philippines. <https://www.officialgazette.gov.ph/1975/05/19/presidential-decree-no-705-s-1975/>

Robinson, E. J. Z., Kumar, A. M., & Albers, H. J. (2010). Protecting developing countries' forests: Enforcement in Theory and Practice. *Journal of Natural Resources Policy Research*, 2(1), 25-38.

Tacconi, L., Rodrigues, R. & Maryudi, A. (2019). Law enforcement and deforestation: Lessons for Indonesia from Brazil. *Forest Policy and Economics*, 108, 101943.

Wahid, M. Y., Bohari, N., & Achmad (2015). Penegakan Hukum Lingkungan di Sektor Kehutanan (Studi Kawasan Hutan Lindung di Kabupaten Sinjai, Sulawesi Selatan)

World Wide Fund (2021). Stopping illegal logging. <https://www.worldwildlife.org/initiatives/stopping-illegal-logging>.

COPYRIGHTS

Copyright of this article is retained by the author/s, with first publication rights granted to IIMRJ. This is an open-access article distributed under the terms and conditions of the Creative Commons Attribution – Noncommercial 4.0 International License (<http://creativecommons.org/licenses/by/4>).

AUTHOR'S PROFILE



Angelyn L. Noble finished Doctor of Philosophy in Criminal Justice with specialization in Criminology at the University of Baguio, Baguio City, Philippines. In 2021. She graduated with her Master of Science in Criminal Justice with Specialization in Criminology at Emilio Aguinaldo College, Ermita, Manila, Philippines, and finished her Bachelor of Science in Criminology at Leyte Colleges, Tacloban City. She was a Registered Criminologist and an Instructor at Visayas State University Tolosa, Tolosa, Leyte, Philippines.