

to qualified beneficiaries under the Comprehensive Agrarian Reform Program.”

- Section 2. A new section is hereby added to Executive Order No. 407, as amended, to read as follows:

“Section 1.B. All existing and proposed National Parks, Game Refuge and Bird Sanctuaries, Wildlife Reserves, Wilderness Areas and Other Protected Areas, including old growth or virgin forests, and all forests above 1,000 meters elevation or above 50 percent slope, are hereby excluded from the present segregation, acquisition and distribution procedures being conducted by the Department of Agrarian Reform until such time as these areas shall have been identified, studied and determined to be either retained and reclassified under the National Integrated Protected Areas System of DENR or to be segregated for agricultural purposes.” (emphasis supplied)

- Section 3. All proclamations establishing such reservations and falling within the coverage of this Executive Order are hereby revoked, amended or modified accordingly.
- Given the above-quoted provisions of law, the CARP coverage of subject landholdings may not be effected until they are segregated for agricultural purposes by the Department of Environment and Natural Resources (DENR) in coordination with DAR.

DAR Opinion No. 07, s. 2002
February 21, 2002

COVERAGE; LANDS ALREADY COVERED UNDER PD 27 CANNOT BE DECLARED AS “PROTECTED AREAS” THROUGH A PRESIDENTIAL PROCLAMATION

- Lands already covered under P.D. No. 27 may not subsequently be declared as “protected areas” through a later Presidential Proclamation since, meanwhile, vested rights could have already set in. It should be stressed that both proclamations in issue provide for an *exclusionary clause*, that is, the provisions thereof are “*subject to existing recognized and valid private rights.*”

DAR Opinion No. 07, s. 2002
February 21, 2002

COVERAGE; INTEGRATED SOCIAL FORESTRY PROGRAM/COMPREHENSIVE AGRARIAN REFORM PROGRAM (ISFP/CARP)

- *It is clear that subject 1,400 hectare property is part of the public forest. As such, its reclassification to agricultural land cannot be undertaken, in view of the prohibition found in Section 4 (a) of R.A. No. 6657 against the reclassification of forest or mineral lands to agricultural lands until Congress has determined by law the specific limits of the public domain*
- *In view of the foregoing, coverage of the property under the Integrated Social Forestry Program Comprehensive Agrarian Reform Program, as embodied in the*