

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10246



Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

EXPLANATORY NOTE

The Constitution imposes upon the State the duty to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.¹ This constitutional command is not abstract. In *Oposa v. Factoran*, the Supreme Court recognized that the protection of the country's forests is inseparable from the principle of intergenerational responsibility, and that every generation bears a duty to preserve the environment for those yet to come.²

In the Philippines, deforestation remains a serious environmental, climate, and governance concern. The Climate Change Commission has reported that from 2001 to 2022, the country lost approximately 1.42 million hectares of tree cover, while the country's total forest cover as of 2022 was estimated at 7.22 million hectares, or only 24.07% of the country's land mass.³ This is particularly alarming for a country recognized as one of the world's megadiverse countries, with exceptional levels of endemism and biodiversity that depend heavily on healthy forest ecosystems.⁴ Globally, deforestation is also closely linked to commodity supply chains, with the Food and Agriculture

¹ 1987 PHIL. CONST. Art. II, Sec. 16.

² *Oposa v. Factoran*, G.R. No. 101083, 224 SCRA 792, July 30, 1993.

³ Climate Change Commission, "Keeping up with deforestations," Mar. 21, 2024. <https://climate.gov.ph/news/851> (last accessed May 29, 2026).

⁴ Philippine Clearing House Mechanism, "Biodiversity," Biodiversity Management Bureau, Department of Environment and Natural Resources. <https://www.philchm.ph/status-of-philippine-biodiversity-2/> (last accessed May 29, 2026).

Organization of the United Nations reporting that agricultural expansion drives almost ninety percent of global deforestation.⁵

The Philippines already has laws protecting forests, protected areas, wildlife habitats, ancestral domains, and climate resilience. However, while these laws regulate forest protection and environmental management, they do not yet establish a specific, uniform, and enforceable rule that would prevent the government itself from purchasing goods whose supply chains are linked to deforestation, illegal logging, unlawful forest conversion, or degradation of protected and ecologically sensitive areas. This gap is especially important because the Government is a major consumer of paper, furniture, timber, wood-based construction materials, fixtures, and other products that may carry forest-risk inputs.

Existing policy already recognizes the role of public procurement in environmental protection. Executive Order No. 301, series of 2004, directed government agencies to establish Green Procurement Programs and include environmental criteria in public tenders whenever practicable.⁶ More recently, Republic Act No. 12009, or the New Government Procurement Act, institutionalized Sustainable Public Procurement and Green Public Procurement, requiring procuring entities to integrate environmentally relevant criteria into procurement design and specifications, and directing the Government Procurement Policy Board (“GPPB”) to implement green procurement in phases.⁷ This bill builds on that framework. It does not create a parallel procurement regime. Rather, it supplies a clear deforestation-free standard for covered products within the existing procurement system.

This proposed measure institutionalizes a Deforestation-Free Government Procurement Policy. It requires public agencies to procure covered forest-risk products only when these are certified or verified as deforestation-free. It directs the Department of Environment and Natural Resources to prescribe the environmental standard; the GPPB and the Department of Budget and Management to integrate the requirement into procurement rules, bidding documents, contract conditions, and PhilGEPS systems; and

⁵ Food and Agriculture Organization of the United Nations, “COP26: Agricultural expansion drives almost 90 percent of global deforestation,” Nov. 6, 2021. <https://www.fao.org/newsroom/detail/cop26-agricultural-expansion-drives-almost-90-percent-of-global-deforestation/en> (last accessed May 29, 2026)

⁶ Exec. Order No. 301, s. 2004, Establishing a Green Procurement Program for All Departments, Bureaus, Offices and Agencies of the Executive Branch of Government, secs. 1 to 3.

⁷ Rep. Act No. 12009, New Government Procurement Act, secs. 72 to 74.

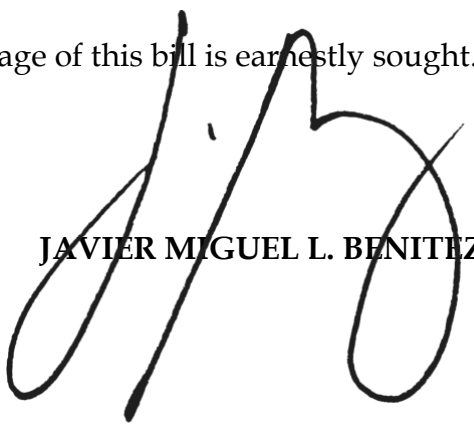
the Department of Trade and Industry to align product validation and certification mechanisms with the deforestation-free requirement.

The bill is designed to be practical and implementable. It adopts a phased approach, beginning with products where government demand and verification systems are most feasible, such as paper, pulp, timber, plywood, lumber, furniture, fixtures, and wood-based construction materials. It allows risk-based verification, recognizes equivalent certifications and government documents, provides exceptions for emergencies and temporary market unavailability, and requires simplified compliance pathways for small producers, cooperatives, community-based forest management organizations, MSMEs, and Indigenous Peoples' enterprises.

The measure also aligns the Philippines with emerging global best practices. The European Union, for example, has adopted a deforestation-free products regulation requiring covered commodities and products to be deforestation-free and produced in accordance with the laws of the country of production before being placed on or exported from the EU market.⁸ The Philippines does not need to copy foreign models wholesale. Instead, this bill adapts the core principle to Philippine realities: fragmented land records, smallholder production, island-based supply chains, community-based forest management, public procurement capacity gaps, and the need to protect both the environment and local livelihoods.

By using government purchasing power, this measure creates market incentives for responsible production and discourages supply chains linked to forest destruction. It strengthens climate action, biodiversity protection, transparency in public spending, and sustainable local enterprise. Public funds should not finance products that contribute to the destruction of the very forests the State is constitutionally bound to protect.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



JAVIER MIGUEL L. BENITEZ

⁸ Regulation (EU) 2023/1115 on deforestation-free products; European Commission, "Implementing the EU Deforestation Regulation." https://green-forum.ec.europa.eu/nature-and-biodiversity/deforestation-regulation-implementation_en (last accessed May 29, 2026)

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Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

**AN ACT INSTITUTIONALIZING A DEFORESTATION-FREE GOVERNMENT
PROCUREMENT POLICY, ESTABLISHING STANDARDS AND
VERIFICATION MECHANISMS THEREFOR, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress
assembled:*

SECTION 1. *Short Title.* – This Act shall be known as the “Deforestation-Free
Government Procurement Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to protect and advance
the right of the people to a balanced and healthful ecology, promote sustainable public
procurement, conserve forests and biodiversity, strengthen climate action, and ensure
that public funds are spent in a manner consistent with environmental protection,
responsible production, and value for money.

Towards this end, the State shall use government procurement as a market-based
instrument to discourage supply chains linked to deforestation, forest degradation,
illegal logging, and unlawful land conversion, while supporting sustainable producers,
community-based forest management organizations, indigenous cultural communities,
small farmers, cooperatives, and micro, small, and medium enterprises that comply with
verifiable environmental standards.

This Act shall be implemented in a manner consistent with Republic Act No.
12009, otherwise known as the “New Government Procurement Act,” existing
environmental and forestry laws, the rights of indigenous cultural communities and
indigenous peoples, and the country’s international obligations.

SEC. 3. *Scope and Application.* – This Act shall apply to the procurement of covered products by all branches, departments, bureaus, offices, agencies, instrumentalities, government-owned or -controlled corporations, government financial institutions, state universities and colleges, and local government units, regardless of source of funds.

For purposes of this Act, “covered products” shall refer to goods, materials, supplies, and inputs identified under the implementing rules as having material risk of contributing to deforestation, forest degradation, illegal logging, or unlawful forest conversion. The initial coverage shall include timber, lumber, plywood, veneer, paper, pulp, furniture, fixtures, wood-based construction materials, and such other forest-risk commodities and derivative products as may be determined through the phased implementation plan under this Act.

No procuring entity shall procure a covered product unless the same is certified or verified as deforestation-free in accordance with this Act and its implementing rules.

SEC. 4. *Definition of Terms.* – For purposes of this Act:

- (a) “*Deforestation-free product*” refers to a covered product, including its material inputs, that is verified as not having been produced, harvested, processed, or sourced from illegal logging, unlawful forest conversion, or conversion of natural forests, mangrove forests, protected areas, critical habitats, ancestral domains without required consent, or other ecologically sensitive areas identified by law or by the Department of Environment and Natural Resources (“DENR”).
- (b) “*Deforestation-free certification or verification*” refers to the validation, certification, recognition, or clearance issued or accepted under this Act showing that a covered product complies with the applicable deforestation-free standard, traceability requirements, legality requirements, and risk controls.
- (c) “*Forest-risk commodity*” refers to a product, raw material, or derivative that has material supply-chain risk of being associated with deforestation, forest degradation, illegal logging, or unlawful land conversion, based on criteria issued under this Act.
- (d) “*Traceability*” refers to the ability to identify and verify the origin, movement, processing, and transfer of a covered product or its material

inputs from source to point of procurement, using documents, permits, geospatial information, chain-of-custody records, or other verifiable means appropriate to the product and supplier.

SEC. 5. *Deforestation-Free Procurement Requirement.* – All procuring entities shall incorporate deforestation-free requirements in the Annual Procurement Plan, technical specifications, terms of reference, bidding documents, contract conditions, inspection and acceptance procedures, and post-qualification requirements for covered products.

A bidder, supplier, contractor, or service provider offering a covered product shall submit proof of deforestation-free certification or verification, together with such supporting documents as may be required under the implementing rules. Such documents may include source declarations, chain-of-custody records, transport permits, tree plantation or harvesting permits, import documents, geotagged source information, third-party certification, supplier due diligence reports, or other equivalent proof.

The requirement under this section shall apply equally to locally produced and imported covered products and shall be based on the product's source, legality, traceability, and environmental risk, and not on the nationality or place of business of the supplier.

SEC. 6. *Deforestation-Free Standard.* – The DENR, in consultation with the Government Procurement Policy Board ("GPPB"), Department of Budget and Management ("DBM"), Department of Trade and Industry ("DTI"), Department of Agriculture ("DA"), Department of Interior and Local Government ("DILG"), Commission on Audit ("COA"), National Commission on Indigenous Peoples ("NCIP"), National Mapping and Resource Information Authority (NAMRIA), and relevant stakeholders, shall prescribe the deforestation-free standard for covered products.

The standard shall require proof that the product was legally produced, harvested, processed, transported, and traded; was not derived from illegal logging or unlawful forest conversion; and, where applicable, was not produced on land converted from natural forest after the cut-off date to be fixed in the implementing rules.

The cut-off date shall be prospective and shall not be earlier than the effectivity of this Act, unless the applicable commodity already has an existing legally recognized certification, licensing, or traceability system that can support an earlier verifiable date without impairing vested rights or unduly excluding small producers.

The standard shall be risk-based and proportionate. It shall be stricter for products with high deforestation risk and simplified for low-risk products, small-value procurement, community-based producers, small farmers, cooperatives, and MSMEs, without dispensing with the core requirement that public funds shall not support deforestation-linked supply chains.

SEC. 7. *Certification, Verification, and Recognition System.* – There is hereby established a Deforestation-Free Procurement Verification System, to be administered by the DENR and integrated into the Sustainable Public Procurement and Green Public Procurement framework of the GPPB.

The DENR shall determine the environmental and forestry criteria for certification or verification. The DTI shall integrate deforestation-free criteria into its green product validation and certification program for covered products, consistent with Republic Act No. 12009. The GPPB shall incorporate the required certification, verification, and contract clauses into standard procurement forms, manuals, and bidding documents.

The system may recognize credible third-party certification, chain-of-custody certification, government permits, foreign official documents, group certification, community-based verification, or equivalent proof, subject to standards issued under this Act. Recognition of private or foreign certifications shall not prevent the DENR or the procuring entity from requiring additional proof where there is reasonable ground to doubt compliance.

SEC. 8. *Traceability Requirements.* – Covered products shall be traceable to their source at a level sufficient to determine compliance with the deforestation-free standard.

For timber, wood-based products, paper, pulp, furniture, and construction materials, traceability shall include, where applicable, proof of lawful harvest or plantation source, transport authority, processing authority, chain-of-custody documentation, and other DENR-required documents.

For agricultural or other forest-risk commodities, traceability shall include source declarations and location information sufficient to show that the product was not produced through unlawful forest conversion or encroachment into protected, forest, mangrove, ancestral, or other ecologically sensitive areas.

The implementing rules shall adopt practical traceability tiers, taking into account the realities of smallholder production, cooperatives, community-based forest

management, fragmented land records, and island-based supply chains in the Philippines.

SEC. 9. *Deforestation-Free Procurement Registry.* – The GPPB, through the Philippine Government Electronic Procurement System, in coordination with the DENR, DBM, DTI, and PS-DBM, shall establish and maintain a Deforestation-Free Procurement Registry containing covered products, recognized certifications or verification documents, accredited or recognized verification bodies, suppliers with verified covered products, and suppliers suspended or blacklisted for violations under this Act.

The Registry shall be interoperable, to the extent practicable, with existing government databases on procurement, green products, forestry permits, business registration, customs, geospatial information, and environmental compliance.

SEC. 10. *Phased Implementation.* – Within one year from the effectivity of this Act, the GPPB and DENR shall issue the initial list of covered products, standard bidding clauses, verification templates, and guidance for procuring entities.

Mandatory implementation shall begin with paper, pulp, timber, lumber, plywood, furniture, fixtures, and wood-based construction materials procured by national government agencies, GOCCs, GFIs, SUCs, and PS-DBM. LGUs and other procuring entities shall be covered under a phased schedule, taking into account procurement capacity, market availability, supplier readiness, and the need to avoid disruption of essential public services.

Additional forest-risk commodities and derivative products shall be included in phases upon joint determination by the DENR, GPPB, DTI, and DA that the relevant verification standards, market supply, and compliance mechanisms are reasonably available.

SEC. 11. *Support for Local Producers, Cooperatives, and MSMEs.* – The DENR, DTI, DA, Cooperative Development Authority (CDA), DILG, and GPPB shall provide technical assistance, simplified compliance pathways, model documents, training, and group verification mechanisms for community-based forest management organizations, indigenous peoples' enterprises, small farmers, cooperatives, social enterprises, startups, and MSMEs.

No implementing rule shall impose a certification process that is unnecessarily costly, exclusionary, or impracticable for local producers, provided that the minimum deforestation-free requirement is maintained.

Government agencies shall, where consistent with law, design procurement specifications in a manner that encourages compliant local production and avoids unnecessary reliance on imported certified products when equivalent local deforestation-free products are available.

SEC. 12. *Exceptions.* – A procuring entity may procure a covered product without full deforestation-free certification only in cases of emergency procurement, disaster response, urgent public health or safety needs, or temporary lack of verified market supply, subject to written justification by the Head of the Procuring Entity.

The justification shall state the necessity of the procurement, the efforts undertaken to source compliant alternatives, the safeguards adopted to minimize deforestation risk, and the transition measure to ensure future compliance. The justification shall be submitted to the GPPB and DENR and posted in the procurement record.

Exceptions shall be narrowly construed and shall not be used to split contracts, evade certification, favor a supplier, or defeat the policy of this Act.

SEC. 13. *Contract Conditions.* – Every contract involving a covered product shall contain a deforestation-free warranty stating that the product and its material inputs comply with this Act and its implementing rules.

The contract shall authorize the procuring entity, DENR, GPPB, COA, or their authorized representatives to verify compliance, require additional documents, conduct risk-based audits, inspect records, and recommend suspension, termination, blacklisting, or other appropriate action where warranted.

A material false statement, fraudulent certification, concealment of source, substitution of non-compliant products, or refusal to submit to verification shall constitute a substantial breach of contract.

SEC. 14. *Monitoring and Reporting.* – All procuring entities shall submit annual compliance reports to the GPPB and DENR, indicating their covered procurements, certifications or verifications submitted, exceptions invoked, contracts terminated or suspended, and suppliers reported for violations.

The GPPB and DENR shall submit to Congress an annual report on the implementation of this Act, including compliance rates, implementation gaps, market readiness, supplier participation, enforcement actions, and recommendations for expanding or adjusting the list of covered products.

The COA may include compliance with this Act in its audit of procurement transactions involving covered products.

SEC. 15. *Prohibited Acts.* – The following acts are prohibited:

- (a) Any bidder, supplier, contractor, or service provider shall be prohibited from submitting false, fraudulent, misleading, expired, revoked, or materially incomplete deforestation-free documents; concealing the source of a covered product; substituting a compliant product with a non-compliant product; or refusing lawful verification under this Act.
- (b) Any public officer or employee shall be prohibited from knowingly accepting non-compliant covered products, waiving the requirements of this Act without legal basis, approving an unjustified exception, splitting contracts to avoid coverage, or unduly favoring a supplier in the implementation of this Act.

SEC. 16. *Penalties and Sanctions.* – A bidder, supplier, contractor, or service provider that violates this Act shall be subject to disqualification, contract termination, forfeiture of performance security, recovery of payments, liquidated damages, suspension, blacklisting, and other sanctions under Republic Act No. 12009 and its implementing rules, without prejudice to civil, criminal, administrative, environmental, customs, forestry, anti-graft, falsification, or perjury liability under existing laws.

A public officer or employee who knowingly violates this Act shall be administratively liable in accordance with civil service laws, Republic Act No. 12009, Republic Act No. 3019, and other applicable laws, without prejudice to criminal or civil liability when warranted.

Where the violation involves illegal logging, unlawful forest conversion, protected areas, ancestral domains, customs fraud, or environmental offenses, the matter shall be referred to the appropriate enforcement agency for investigation and prosecution.

SEC. 17. *Implementing Rules and Regulations.* – Within one hundred eighty days from the effectivity of this Act, the DENR, GPPB, DBM, DTI, DA, DILG, COA, NCIP, and other relevant agencies shall jointly issue the implementing rules and regulations.

The implementing rules shall include the phased list of covered products, deforestation-free standard, verification process, registry design, model bidding clauses, contract conditions, traceability tiers, exception procedures, audit and reporting

templates, recognition of equivalent certifications, and capacity-building program for procuring entities and suppliers.

SEC. 18. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the DENR, DBM, DTI, DA, DILG, GPPB, and other implementing agencies. Thereafter, such sums as may be necessary shall be included in the annual General Appropriations Act.

SEC. 19. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

SEC. 20. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, issuances, or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 21. *Effectivity.* – This Act shall take effect fifteen days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,