



Republic of the Philippines
 Province of Southern Leyte
MUNICIPALITY OF MACROHON

RELEASED
 DATE 4/6/21
 BY [Signature]

Office of the Sangguniang Bayan

Present:

- | | | |
|-------------------------------------|------------|---|
| <i>Hon. Jerome A. Curtina</i> | <i>---</i> | <i>Municipal Vice Mayor</i> |
| | | <i>Presiding Officer</i> |
| <i>Hon. Debra Fe L. Civera</i> | <i>---</i> | <i>SB Member</i> |
| <i>Hon. Menchie Ann S. Salinas</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Karen M. Kinazo</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Raymundo B. Banalo</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Rofelia G. Edillo</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Fernando E. Moralde</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Wilfredo L. Madrona</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Ina Marie K. Loy</i> | <i>---</i> | <i>-do-</i> |
| <i>Hon. Reenjeff Paul S. Balili</i> | <i>---</i> | <i>SKMF President/Ex-Officio Member</i> |

Absent:

- | | | |
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| <i>Hon. Marivic B. Flores</i> | <i>---</i> | <i>Liga Pres./Ex-Officio Member (On Leave)</i> |
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Resolution No. 177, s. 2021

AN URGENT RESOLUTION URGING THE DEPARTMENT OF AGRICULTURE – BUREAU OF FISHERIES AND AQUATIC RESOURCES TO IMPLEMENT FISHERIES ADMINISTRATIVE ORDER 266 (RULES AND REGULATIONS ON THE IMPLEMENTATION OF VESSEL MONITORING MEASURES (VMM) AND ELECTRONIC REPORTING SYSTEM (ERS) FOR COMMERCIAL PHILIPPINE FLAGGED FISHING VESSELS AMENDING FAO 260 SERIES OF 2018) AND OPPOSING HOUSE BILL NO. 7853, AN ACT AMENDING SECTION 18 OF REPUBLIC ACT NO. 8850, OTHERWISE KNOWN AS THE "FISHERIES CODE OF 1998"

WHEREAS, Section 119 of Republic Act No. 10654, which amended RA 8550, known as the Philippine Fisheries Code of 1998, declares that no commercial fishing vessel shall engage in fishing activity without complying with the Vessel Monitoring Measures (VMM) rules and regulations promulgated by the Department of Agriculture – Bureau of Fisheries and Aquatic Resources (DA-BFAR) in coordination with the Local Government Units which have jurisdiction over municipal waters;

WHEREAS, on September 22, 2015, the Department of Agriculture issued Administrative Order No. 10, s. 2015, also known as the Implementing Rules and Regulations (IRR) of Republic Act 8550, as amended by Republic Act 10654. The IRR includes several provisions on the mandatory issuance of regulations for key provisions, including rules for Vessel Monitoring Measures for commercial fishing vessels;

WHEREAS, the BFAR was directed to promulgate and implement the rules for commercial fishing vessels with gross tonnage over 3.1 – 29.9 within one year from the effectivity of the said IRR, which lapsed into law on October 2016;

WHEREAS, the said rules for commercial fishing vessels have been promulgated on October 12, 2020 (Fisheries Administrative Order 266, s. 2020) by the BFAR;

WHEREAS, the Local Government Units (LGUs) are mandated by law to manage, protect and conserve fisheries and aquatic resources within their municipal waters, especially for the benefit of the marginal and subsistence fisherfolk who are directly dependent on these resources;

WHEREAS, FAO 266, will be a big boost to the capacity of the LGUs to have a system to monitor, control, and surveillance of municipal waters as required by law and to ensure the enforcement of fisheries and coastal laws;

WHEREAS, HB7853 was filed by Congressman Pablo John Garcia, which seeks to amend Section 18 of RA 8550 and allow commercial fishing in municipal waters;

WHEREAS, the amended Fisheries Code of Philippines (RA 10654) prohibits commercial fishing and active gears in municipal waters to protect the preferential rights of municipal fishers;

WHEREAS, given the current state of Philippine Fisheries, the majority of fish stocks (70%) are considered overfished, resulting in both decline in commercial and municipal fisheries production since 2010. This is why Fisheries Management Areas were established to adopt the ecosystems approach to fisheries management for sustainable fisheries;

WHEREAS, the subject House Bill has not even mentioned the amendatory law, RA 10654, which established 12 Fisheries Management areas that would govern the allowable fishery activities within municipal waters and beyond with rigorous scientific reference points and harvest control measures. Expanding more fishing grounds in municipal waters for potential operations of commercial fishers would run counter to the FMA system;

WHEREAS, municipal waters with their critical marine habitats should be protected and spared from active and destructive fishing gears. Most highly productive critical habitats such as coral reefs, seagrass beds, and mangroves are located in municipal waters and are essential in the life cycle of many marine organisms, including pelagic fishes such as sardines;

WHEREAS, governing municipal waters is the local government's responsibility, and it is our biggest asset for the livelihood of our fisherfolk and for our children to experience the same abundance we've inherited from our fathers;

WHEREAS, our municipal fisherfolk have the constitutionally granted preferential right to municipal waters, and they contribute to food security and are important stewards of the ocean, and they are the responsibility of local government which should protect them and give them a voice;

WHEREAS, during the pandemic, fishing sustained coastal communities and has been the source of sustenance for communities which contributed to fewer crimes because people had food to eat;

WHEREAS, the Bill seeks to provide an exception to the existing laws allowing commercial fishing only in municipal waters only if several criteria are met and will unduly legitimize an otherwise prohibited act;

WHEREAS, instead of allowing commercial fishing in municipal waters and stopping the implementation of FAO 266, what is needed is to implement the amended Fisheries Code of the Philippines (RA 10654) fully to ensure that our fisheries resources are managed based on science and for local government units to strengthen and increase the capacity for monitoring, control, and surveillance of municipal waters to enforcement and implementation of our fisheries and environmental laws;

WHEREAS, in accordance with this mandate the, Municipality of Macrohon has implemented the coastal and fishery resource management programs, including fishery law enforcement efforts against illegal unreported and unregulated (IUU) fishing within their municipal waters in order to ensure the wise use and sustainable management of their fisheries and aquatic resources;

WHEREAS, the Municipality of Macrohon recognizes that the implementation of the VMM will enhance its capacity as well as improve transparency, monitoring, and enforcement of their fisheries laws, ordinances, rules, and regulations, especially against the intrusion of commercial fishing vessels within their 15-kilometer municipal waters;

WHEREAS, there is a need to urgently call on the BFAR to implement such rules in order to address these pressing issues on illegal, unreported, and unregulated (IUU) fishing, overfishing and ensure transparency in the state of the fishing industry in this country and for coastal local governments to be effective partners in ensuring the full implementation of our laws and promote food security;

WHEREAS, there is an urgent need to stop the approval of HB 7853 as this will further threaten the protection and management of fish stocks under RA 10654 and FAO 263;

NOW, THEREFORE, on motion of Hon. Wilfredo Madrona moved duly seconded by All, BE IT

RESOLVED, AS IT IS HEREBY RESOLVED, to strongly urge the Department of Agriculture – Bureau of Fisheries and Aquatic Resources to immediately implement the guidelines for the implementation of the Vessel Monitoring Measures as mandated under the Fisheries Code, as amended and to oppose House Bill No. 7853, an Act Amending Section 18 of Republic Act No. 8850, otherwise known as the “Fisheries Code of 1998”;

RESOLVED, FURTHER, that the BFAR shall closely coordinate with all coastal local government units for the full implementation of the guidelines on Vessel Monitoring Measures, and the local government units shall be provided access to the information on vessel monitoring pertaining to their municipal waters as shown in the dashboard;

RESOLVED, FINALLY, to furnish a copy of this resolution to the BFAR, Honorable Congressman Roger G. Mercado of the Province of Southern Leyte, the OMAS, and the PENRMO for their information, guidance and appropriate action.

UNANIMOUSLY APPROVED, in Regular Session held on the 29th day of March 2021.

I HEREBY CERTIFY to the correctness of the foregoing Resolution.

Attested:


ATTY. JEROME A. CURTINA
Vice Mayor/Presiding Officer


RAMON M. CORTEL, JR.
Secretary to the Sanggunian