

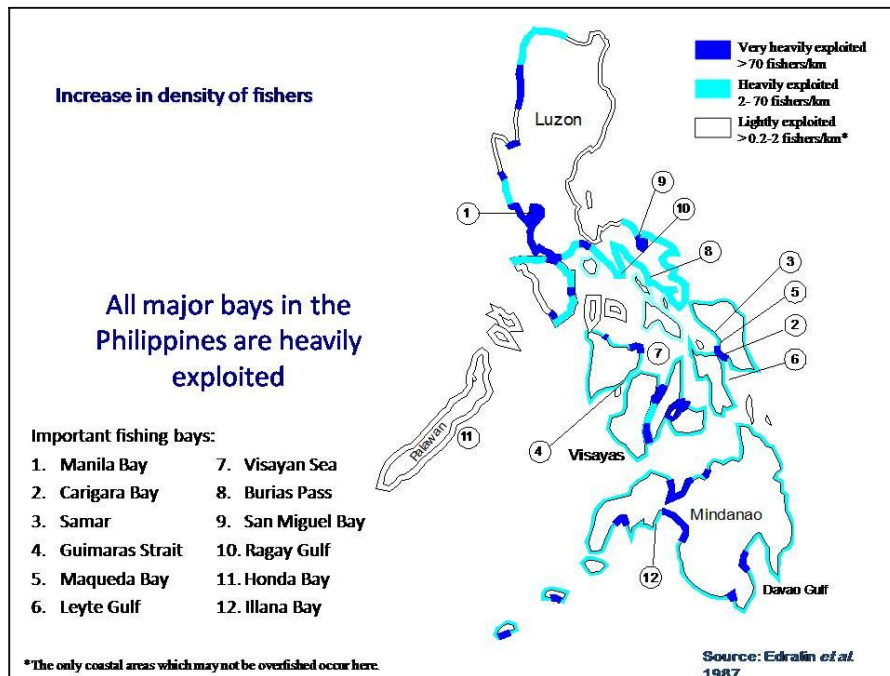
THE REAL STATE OF THE FISHERIES ADDRESS (SOFA): A MID-TERM REVIEW OF THE AQUINO ADMINISTRATION

By Mr. Dennis F. Calvan¹

Introduction

When President Benigno Aquino III assumed office in 2010, the Philippine fisheries is already in crisis. Several relevant technical reports point out that most of the fishing grounds in the country are heavily exploited. For instance, during the time of her mother the late President Corazon Aquino, a 1987 report revealed that major fishing bays like Manila Bay, Honda Bay and Illana Bay are very heavily exploited. This meant that there are more than 70 fisherfolk who are using a kilometre of fishing ground. Lightly exploited means there are less than 3 fishers per kilometre of fishing ground. See Figure 1.

Figure 1. Map of Fishing Grounds That Are Heavily Exploited, 1987

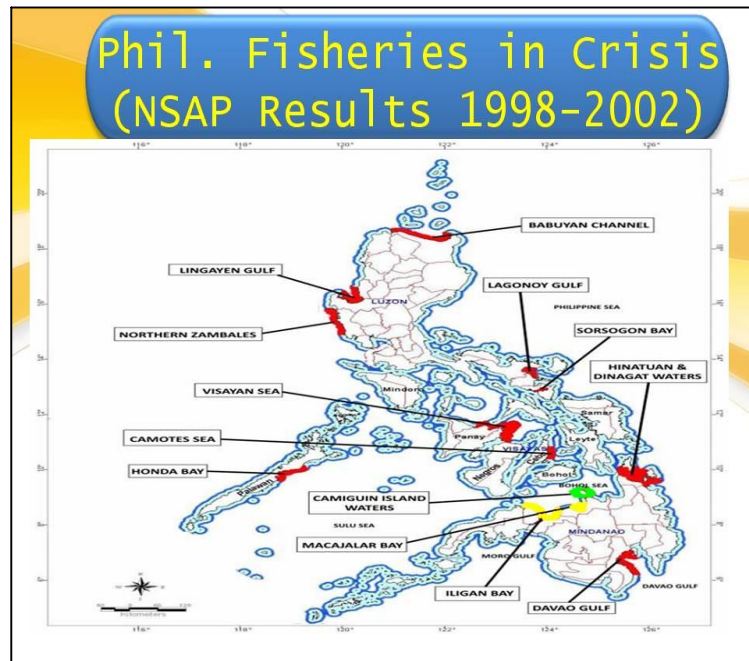


In 2006, a study conducted by the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR) under its National Stock Assessment Program revealed a similar trend. Of the 13 fishing grounds included in the study, 10 were reported to be heavily exploited. Only the waters within

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Camiguin, Iligan Bay and Macajalar Bay in Mindanao were reported to be in relatively good conditions. See Figure 2.

Figure 2. Map of National Stock Assessment Program Results



Source: DA-BFAR, Regulation and Quarantine Division, February 29, 2012 during a meeting of the National Agriculture and Fishery Council-Committee on Fisheries and Aquaculture, Quezon City.

Heavily exploited fishing grounds are areas with exploitation rates above 0.5 (scale 0-1). This means that more than half of the fish stocks are being taken out of the sea, leaving considerably less than the ideal half of the fish population for reproduction (Pauly and Jingles, 1984). This also means that we have too many fishers competing over few resources. If this continues unabated, we will be fishing ourselves out of business.

Understandably, the Philippines is a resource dependent economy. With degraded resources, fish catch and income from fishing declined significantly. Based on the Bureau of Agricultural Statistics in 2011, wage and salary workers in the fishing industry earn a daily income of Php169.43. Its wage gain over a 5-year period (2006-2010) is only 1.9 percent. It is not surprising that the fisherfolk are considered to be the poorest of the poor in the country. According to the National Statistical Coordination Board in 2013, poverty incidence in fishing communities did not change in 2003 and 2009. A 41.4 percent poverty incidence had been recorded in fishing communities. This is higher than the national poverty incidence of 22.9%.

Table I. Poverty Incidence for Fisherfolk, By Region, 2003, 2006, 2009

Regions	Poverty Incidence			Increase/Decrease	
	2003	2006	2009	2003-2006	2006-2009
PHILIPPINES	35.0	41.4	41.4	6.4	0
Region I	18.0	42.8	43.8	24.8	1.0
Region III	21.1	18.7	10.6	(2.3)	1.3
Region IV-A	26.9	29.6	29.9	2.7	0.3
Region IV-B	41.1	39.1	35.5	(2.0)	(3.6)
Region V	52.4	49.8	47.3	(2.6)	(2.4)
Region VI	31.9	33.0	30.4	1.0	(2.5)
Region VII	49.2	50.2	48.0	0.9	(2.1)
Region VIII	29.0	40.2	45.7	11.2	5.5
Region IX	46.0	51.4	48.2	5.4	(3.3)
Region X	48.9	44.9	51.5	(3.9)	6.5
Region XI	32.7	45.6	42.5	12.9	(3.1)
Region XII	36.0	31.2	38.4	(4.8)	7.2
ARMM	24.9	47.0	43.8	22.1	(3.2)
CARAGA	56.0	56.5	59.2	0.6	2.7

Source: National Statistical Coordination Board, 2009 Official Poverty Statistics, http://www.nscb.gov.ph/poverty/2009/tables_basic.asp

The poor fishing communities are found in Region IX, Region X and the CARAGA Region.

It is within these contexts that the administration of President Noynoy Aquino came in. His Philippine Development Plan (2011-2016) contained these relevant information. The President even mentioned them in his 2013 State of the Nation Address. Though there are areas that are in conflict to civil society organizations' positions particularly on the PDP's framework on shift from 'fish hunting to fish farming', in general, the PDP contained significant provisions worth mentioning.

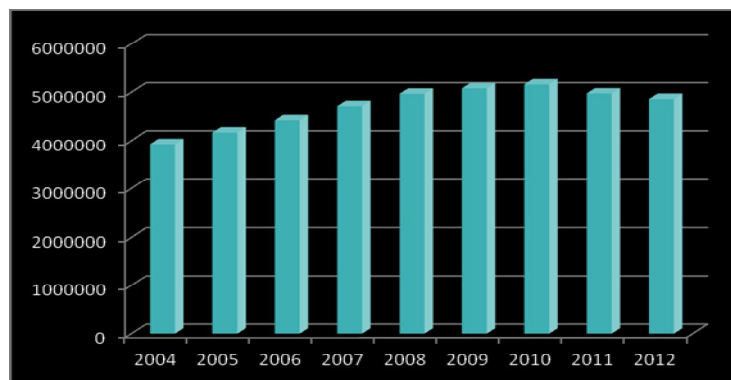
Assessment of PDP (2011-2016)

The NGOs for Fisheries Reform, Inc. actively participated in the consultations that were initiated by the National Economic Development Authority (NEDA). In fact, NFR successfully lobbied for some provisions for inclusion in the PDP (2011-2016) particularly on improving fisheries production in the context of overfishing and the asset reform provisions (See *Attachment A-Matrix of Provisions in PDP and Current Status*).

I. State of Fisheries Production in the Philippines

Under the Aquino administration, total fisheries production in 2012 declined by 3.55% as compared to 2011. It dipped from 4,973,588 metric tons to 4,858,097 in 2011 and 2012, respectively. See *Figure 3*.

Figure 3. Total Fisheries Production by Volume, 2004-2012

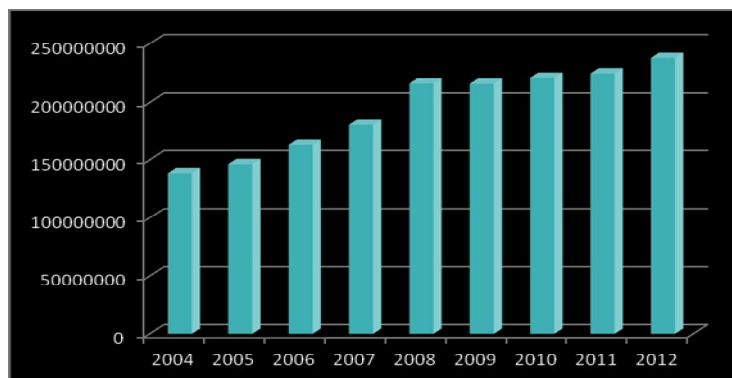


Source: Bureau of Agricultural Statistics

In 2012, the agriculture sector grew by 2.92%. The fisheries sub-sector contribution to total agricultural production, which shared 18% of the total production, declined by 0.4% as compared to 2011. The decline was mainly due to a 3.9% decline in municipal fish catch. However, the fisheries subsector recovered in the first quarter of 2013 based on the Bureau of Agricultural Statistics. Total fisheries production expanded by 5.60%. The fisheries sub-sector shared 16.27 percent in the total agricultural production for the first quarter of 2013.

In terms of value, the fisheries sub-sector contributed Php2,246,950.78 and Php2,377,114.74 in 2011 and 2012, respectively. These figures are much higher than those recorded in the previous administration. See *Figure 4*.

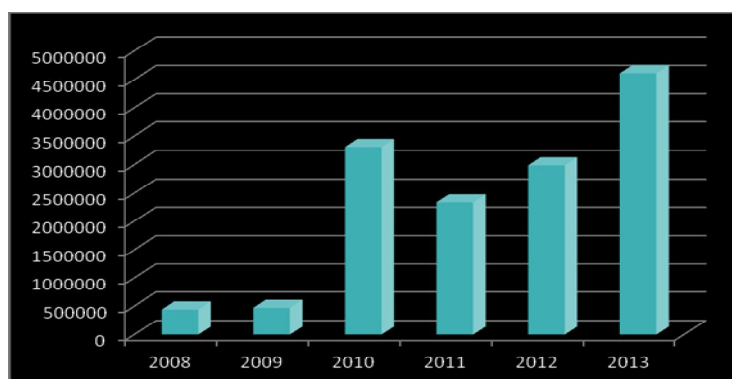
Figure 4. Total Fisheries Production by Value, 2004-2012



Source: Bureau of Agricultural Statistics

II. DA-BFAR's Budget

Under the Aquino administration, BFAR's budget significantly increased as compared to the previous administration. In 2011, BFAR received a total of Php2.3 billion. It increased to Php2.9 billion in 2012 and Php4.6 billion in 2013.



Source: Department of Budget and Management

III. Asset Reform Provisions in PDP

A. Municipal Water Delineation

Provisions related to municipal water delineation can be found under Chapters 4, 8 and 10 of the PDP. Targets under the PDP include (1) Completion of municipal water delineation for better fishery resource management under Chapter 4 and Chapter 10; (2) Deployment of community organizers in 873 coastal cities and municipalities to speed up the process of municipal water delineation under Chapter 8; (3) Provide assistance to LGUs in delineation (Chapter 8); and (4) Issuance of memorandum circular by the

Department of Interior and Local Government (DILG) to encourage local government units to delineate their municipal waters under Chapter 8.

The absence of clear guidelines on municipal water delineation of municipalities with offshore islands is primarily the contributing factor for the slow progress of this provision in the PDP. Briefly, the Department of Environment and Natural Resources (DENR) issued in 2001 the Department Administrative Order 17. DAO 17 provided guidelines for the delineation of municipal waters in the Philippines. However due to technicality, the DAO was revoked. It was argued that the Department of Agriculture through BFAR has the mandate by virtue of the Philippine Fisheries Code of 1998 to issue the guideline. At present, only the guideline for municipal water delineation (DAO-01 series of 2004) of municipalities without offshore islands was released. Guideline on municipal water delineation with offshore islands is yet to be released by DA-BFAR. A resolution is still pending at the Supreme Court, to which the Highest Tribunal was asked to interpret the reckoning point of delineation based on the Philippine Fisheries Code of 1998.

From 2001-2010, the National Mapping Resource and Information Authority (NAMRIA) under the DENR was able to certify the municipal waters of 265 coastal cities and municipalities. In 2011, NAMRIA certified the municipal waters of 6 out of the 26 municipalities it assisted, making a total of 271 certified municipal waters. For 2012, NAMRIA assisted additional 28 municipalities but no certifications were added².

In terms of the DILG memorandum circular, initial talks between the DILG and the DA-BFAR happened in December 2012. They agreed to facilitate the formulation of a DILG memorandum circular but focusing first on the coastal cities and municipalities without offshore islands. Of the more than 900 coastal cities and municipalities in the Philippines, there are a total of 552 that will be covered by the proposed MC by the DILG. Of these, there are 316 that are without offshore islands and 236 islands with opposite or adjacent cities and municipalities. Of these, 491 were already validated by their respective LGUs. But, in order to complete the process of municipal waters, each LGU should have passed their ordinance. As of 2013, only 29 were able to pass their ordinance and technically were able to complete the process³.

B. Fisherfolk Settlement

Issues on fisherfolk settlement were stipulated under Chapter 8 of the PDP. The provision states that the national government agencies shall explore a moratorium on the approvals of Foreshore Lease Agreements, except on ensuring the settlement of small fisherfolks, and set up a task force fisherfolk settlement, to begin providing land tenure security to small fisherfolk households. Significant gains have been achieved in terms of this provision in the PDP.

² Personal communications with Ms. Marissa Albaladejo of the Department of Agriculture-Bureau of Fisheries and Aquatic Resources.

³ Personal communications with Engr. Mario Princer of the DENR-NAMRIA.

In 2011, NFR and the Save the Fisheries Now Network lobbied for a Congressional inquiry on the progress of the implementation of the Philippine Fisheries Code of 1998. AAMBIS OWWA Representative Sharon Garin and Akbayan Representative Arlene 'Kaka' Bag-ao filed House Resolution 1411 to this effect. Section 108 stipulates that the DA-BFAR in coordination with other relevant agencies shall identify fisherfolk settlement areas that are near fishing grounds.

The DA-BFAR and the National Anti-Poverty Commission (NAPC) jointly issued an administrative order to establish a task force fisherfolk settlement in 2012. JAO 01 series of 2012 mandated the Task Force to formulate an implementing rules and regulations of Section 108 and to formulate a comprehensive program on fisherfolk settlement. An initial budget of Php5 million had been allotted by the DA-BFAR. A series of consultations including regional consultations and Technical Working Group meetings were conducted throughout 2012. At present, a draft IRR is waiting the approval of the DA-BFAR Director. The comprehensive program, on the other hand, resulted in the identification of priority areas that were chosen based on certain criteria set up by the Task Force. In 2013, the DA BFAR Director committed to include a Php300 million budget for the social preparation phase of the program. Unfortunately, the Department of Budget and Management took it out because of absence of feasibility studies that are needed for the establishment of fisherfolk settlement. The Php300 million pesos was supposed to facilitate the conduct of feasibility studies.

C. Fisherfolk Registration and Licensing

Chapter 8 of the PDP stipulates that the government shall explore the granting of incentives to small fisherfolk participating in the process, in the form of their immediate registration and licensing as municipal fishers, and provision of settlement sites and land tenure security. Section 19 of the Philippine Fisheries Code of 1998 states that the LGU shall maintain a registry of municipal fisherfolk for the purpose of monitoring fishing activities within the municipal waters. The registry is expected to be updated annually.

The DA-BFAR through its project entitled the Ecosystems Improved for Sustainable Fisheries (ECOFISH) launched the Fisherfolk Registration (FishR) Program. It has earmarked a total of Php30 million pesos to ensure the completion of municipal fisherfolk registration in 899 coastal cities and municipalities. A Php2 million fishery-related project will be one of the incentives for cities and municipalities that have completed registration of their fisherfolks.

IV. Coastal Resources Management under the PDP

A. Reversion of Abandoned, Undeveloped and Underutilized (AUUs) Fishponds to Mangroves

The restoration and reversion of AUU fishponds to mangroves is clearly stipulated under Chapter 10 of the PDP. Significant gains were achieved in the mid-term of President Aquino's administration with regard to this.

Briefly, mangrove stand in the Philippines covers an estimated 248,813 hectares (as cited in Philippine Environment Monitor, DENR, 2005:9). This is down from an estimated 450,000 hectares of mangroves in 1914. This estimate, however, has yet to be validated on the ground. The primary threat to mangroves is its conversion to fish/shrimp ponds. At present, the pond to mangrove ratio is 1:1, where there are around 232,000 hectares of fish/shrimp ponds and 256,000 hectares of mangroves (Primavera, 2012:8). As cited in Primavera et al (2012), this is way below the ideal ratio of 4:1 as recommended by Saenger et al (1983) that 'the amount of mangrove forest converted into ponds should not exceed one hectare of ponds for four hectares of natural mangrove kept untouched'. Primavera et al (2012) suggested that no more than 20% of a discrete mangrove area in the country should be converted to ponds.

Worst, many of these once thriving mangrove areas that were converted to fish/shrimp ponds are partly functional or totally no longer operational. Section 43 of Presidential Decree 705 or the Forestry Code of the Philippines of 1975, provides that mangrove and other swamps released to the Bureau of Fisheries and Aquatic Resources for fishpond purposes which are not utilized, or which have been abandoned for five (5) years from the date of such release shall revert to the category of forest land. Further, by virtue of Section 49 of Republic Act 8550 or the Philippine Fisheries Code of 1998, all AUU fishponds shall be reverted back to mangroves, once the best use of the areas have been assessed and determined by the DENR, the DA-BFAR, the local government units, other government agencies and the National Fisheries and Aquatic Resources Management Council (NFARMC). The problem with the implementation of Section 49 is that there is yet clear implementing rules and regulations on how to carry out these mandates by DA-BFAR and DENR.

It is partly because of this absence of clear guidelines that the government has been losing needed revenues from fishpond rental fees and charges. COA (2010) reported the continued failure on the part of DA-BFAR to collect rental fees and surcharges from FLAs. For the period 2007-2009, the amount uncollected from FLAs by BFAR national office reached Php84.658 million. On the other hand, BFAR regional offices likewise reported that they have uncollected amount of Php151.581 million as of December 2009. All in all, the government is losing around Php236.240 million by the end of 2009.

In 2011, the DA-BFAR issued the Revised Fisheries Administrative Order 197-1 after a series of consultations with peoples' organizations, non-government organizations, local government agencies and concerned government agencies. The said FAO incorporated the process of Fishpond Lease Agreement Cancellation. FAO 197-1 included provisions on access of fisherfolk organizations and cooperatives to engage in aquaculture at the same time managing the mangroves through the Aquasilviculture Stewardship Contract. At present, the DA-BFAR is in the process of conducting inventory of the status of fishponds in the country. On the other hand, the DENR-Coastal Marine and Management Office under the Protected Areas and Wildlife Bureau has yet to issue its DAO on the Reversion of AUU Fishponds to Mangroves.

B. Improving the Climate Change Resilience of Fisheries Through the Restoration of Fishing Grounds

For the past two years, the DA-BFAR enforced closed season to Zamboanga Peninsula in order to restore the biomass of sardines and mackerel. BFAR enforced closed season December 2011-February 2012 and December 1, 2012 to February 28, 2013. The DA-BFAR enforced another closed season, this time in the Visayan Sea by virtue of Fisheries Administrative Order 167. The closed season started in November 2012 and ended last March 15, 2013. The closed season in the Zamboanga Peninsula and the Visayan Sea worked on the assumption that of the 600,000 eggs that a single sardine lay, only one percent will reach maturity during the 4-month closed season. It was expected that an additional of 500 fish from each sardine will be spared to assure increase biomass.

There have been anecdotal reports on the increase of fish biomass in these two fishing grounds. However, there are no technical reports to justify these claims. Equally important, there were some groups that claim that only the commercial fisherfolk benefited from the increase in fish biomass and increase in catch.

Moreover, due to perceived success of the closed season for sardines and mackerel, the DA-BFAR is considering the option to enforce a closed season for roundskad (*galunggong*). The DA-BFAR is looking at the Northern Palawan shelf for the closed season.

V. What Needs to be Done

In November of last year, several civil society organizations, peoples' organizations, academic institutions and national government agencies declared the Philippine fisheries in crisis. The conference participants indicated that President Aquino urgently needs to convene a crisis team to immediately arrest the deteriorating status of the Philippine coastal and fisheries resources. In 2013, a roadmap to recovery for Philippine oceans was formulated. Among the goals in the roadmap include the following:

1. *Management of Fishing Capacity.* Critical in achieving this goal is the completion of municipal and commercial fisherfolk registration and licensing. This is to establish the current fishing capacity in the country. From this information, national government agencies in consultation with the NFARMC and civil society organizations shall have developed a blueprint on how to manage fishing capacity in the Philippines;
2. *Improve Income from Fishing.* Asset reform is the urgent call as a response to the worsening poverty conditions in fishing communities in the Philippines. Critical of these asset reforms are the completion of municipal water delineation at least for those coastal cities and municipalities without offshore islands and the establishment of fisherfolk settlement areas at least for the pilot areas identified by the DA-BFAR and NAPC. Moreover, it is of utmost importance to develop programs to empower women fisherfolks in decision making and to enhance their participation in resource management;

3. *Improve Critical Fishery Habitats*. There is a need to improve the conditions of coral reefs, mangroves and seagrass beds. These habitats are important since they serve as nursery and breeding grounds for fish and crustaceans; and
4. *Strengthen Institutions with Regulatory Functions in Fisheries*. It is important to strengthen the DA-BFAR and the LGUs in enforcing the Philippine Fisheries Code of 1998 and local fishery ordinances. Technical and financial support should be provided to LGUs particularly in the areas of fish warden (*Bantay Daga*) activities, municipal water delineation and restoration of fishing grounds.

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