

Report of Implementation for the year 2014

DEADLINE FOR SUBMISSION OF THE REPORT 26 FEBRUARY 2015

Reporting CPC: Philippines

Date: 02/26/15

Please NOTE: this document is composed of 3 sections to report on the implementation of IOTC resolutions

Part A. *Describe the actions taken, under national legislation, in the previous year to implement conservation and management measures adopted by the Commission at its sixteenth Session.*

1. Resolution 14/01 On the removal of obsolete Conservation and Management Measures

The Philippines had started a study on the possible repercussions of the Resolution Number 13/01 on the legal framework on fishing operations in the Indian Ocean. However, with the promulgation of Executive Order Number 154 Series of 2013 on December 6, 2013, the Philippines needs to even further study the same as this particular Executive Order is entitled "Adoption of the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (NPOA-IUU)". In addition, the Philippines had initiated changes in its basic fisheries legal framework by proposing amendments to Republic Act 8550 also known as the Philippine Fisheries Code of 1998. This resulted into the passage of House Bill Number 4536 entitled "AN ACT STRENGTHENING THE ENFORCEMENT AND REGULATORY FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998" and Senate Bill 2414 entitled "AN ACT STRENGTHENING THE REGULATORY AND ENFORCEMENT FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS 'THE PHILIPPINE FISHERIES CODE OF 1998,' AND FOR OTHER PURPOSES". Because of differences in the version of each house, both Houses convened for a Bicameral Conference Committee meeting where the two versions were reconciled. Thereafter, House of Representatives ratified the Conference Committee report on December 9, 2014 while Senate on December 1, 2014. The ratified proposal was undergoing enrollment process prior to its submission to the President for his assent or veto.

2. Resolution 14/02 For the conservation and management of tropical tunas stocks in the IOTC area of competence

Resolution 14/02 requires that CPCs shall implement the following action plan:

- a) Establishment of an allocation system (Quota) or any other relevant measures based on the IOTC Scientific Committee recommendations for the main targeted species under the IOTC competence;
- b) Advise on the best reporting requirement of the artisanal tuna fisheries and implementation of an appropriate data collection system.

With the proposal to the amendments to the Philippine Fisheries Code of 1998 still pending, we suspend action on the first aspect. However, the stakeholders are agreeable to the idea of an catch allocation system.

On the second aspect, the Philippines is now undertaking several steps in order to be able to obtain the more accurate and correct statistical data from its artisanal fleet which is composed of fisherfolk whose fishing boats are 3 gross tons or less in size. The steps have been first to obtain a national registration of all its fisherfolk, whether municipal [artisanal], commercial and aquaculture. This is the FishR program which was begun in late 2013. The second step involves the registration of the municipal fishing boats which the Philippines hopes to complete by December of 2015.

3. Resolution 14/03 On enhancing the dialogue between fisheries scientists and managers
The Philippines fully supports the ideals

4. Resolution 14/04 Concerning the IOTC record of vessels authorised to operate in the IOTC area of competence^a

On December 6, 2013, the President of the Republic of the Philippines issued Executive Order Number 154 Series of 2013 entitled "Adoption of the National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported, and Unregulated Fishing (NPOA-IUU)". In addition, the Philippines had initiated changes in its basic fisheries legal framework by proposing amendments to Republic Act 8550 also known as the Philippine Fisheries Code of 1998. This resulted into the passage of House Bill Number 4536 entitled "AN ACT STRENGTHENING THE ENFORCEMENT AND REGULATORY FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998" and Senate Bill 2414 entitled "AN ACT STRENGTHENING THE REGULATORY AND ENFORCEMENT FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS 'THE PHILIPPINE FISHERIES CODE OF 1998,' AND FOR OTHER PURPOSES".

Nevertheless, the Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled "Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels". This is an elaboration of BFAR Fisheries Administrative Order Number 198 Series of 2000 entitled "Rules and Regulations on Commercial Fishing".

5. Resolution 14/05 Concerning a record of licensed foreign vessels fishing for IOTC species in the IOTC area of competence and access agreement information^a

Not applicable as the Philippines is not a coastal state in the convention area. Also, in response to paragraph 3 thereof, there are no existing government to government fishing access arrangements entered into by the Philippines with any of the other members states in the convention area.

6. Resolution 14/06 On establishing a programme for transshipment by large-scale fishing vessels^a

Under the Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled “Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels”, all fishing vessels operating within the RFMO convention area must comply with all the rules and regulations of that RFMO. By virtue of this provision [Section 3.3.2], all Philippine flagged fishing vessels operating on the convention area are required to comply with the conservation and management measures adopted by and RFMO to which the Philippines is a member of a cooperating non-member.

Note: ^a indicate that a template report exists for some of the requirements and can be downloaded at <http://www.iotc.org/compliance/reporting-templates>

Part B. *Describe the actions taken, under national legislation, to implement conservation and management measures adopted by the Commission in previous Sessions, and which have not been reported previously.*

The Philippines had initiated changes in its basic fisheries legal framework by proposing amendments to Republic Act 8550 also known as the Philippine Fisheries Code of 1998. This resulted into the passage of House Bill Number 4536 entitled "AN ACT STRENGTHENING THE ENFORCEMENT AND REGULATORY FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998" and Senate Bill 2414 entitled "AN ACT STRENGTHENING THE REGULATORY AND ENFORCEMENT FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS 'THE PHILIPPINE FISHERIES CODE OF 1998,' AND FOR OTHER PURPOSES". Because of differences in the version of each house, both House Convene for a Bicameral Conference Committee meeting where the two versions were reconciled. Thereafter, House of Representatives ratified the Conference Committee report on December 9, 2014 while Senate on December 1, 2014.

As of December 31, 2014, the said proposed amendments to the Fisheries Code of 1998 was still undergoing the legislative process of enrollment of the bill before it will be sent to the Office of the President for his assent.

This is significant to the Philippine legal framework for fisheries management as the Philippines National Government Agency charged with fisheries management will be provided with more authority to enforce fisheries management measures, provided with a clearer mandate to put into regulation all conservation and management measures that have been agreed upon in all the regional fisheries management organization [RFMO] to which it is a regular member or is a cooperating non-member or is a trading partner of a member of an RFMO,

Part C. Data and information reporting requirements for CPCs to be included in this report (please refer to the *section February 2015 of the Guide on data and information reporting requirements for Members and Cooperating Non-contracting Parties*).

- Resolution 01/06 Concerning the IOTC bigeye tuna statistical document programme

CPCs which export bigeye tuna shall examine export data upon receiving the import data from the Secretary, and report the results to the Commission annually [A template report exists]).

The report has already been provided to the IOTC Secretariat:

Yes

Date of reporting (DD/MM/YYYY):25/03/2014

No

The report is attached to the implementation report:

Yes

No

Additional information:

[Click here to enter text.](#)

- Recommendation 05/07 Concerning a management standard for the tuna fishing vessels

The CPC flag states which issues licenses to their AFVs should report annually to the Commission all measures taken to meet the minimum management standards when they issue fishing licenses to their “authorised fishing vessels”.

Not applicable to the Philippines as the Philippines is not a coastal state within the convention area. nevertheless, the Philippines has required the installation of a vessel monitoring system and the Philippine fleet operating has installed such a system in their fishing vessels operating on the convention area. These FVs submit to the Bureau of Fisheries and Aquatic Resources their catches.

- Resolution 10/06 On Reducing the Incidental Bycatch of Seabirds in Longline Fisheries

CPCs shall provide to the Commission, as part of their annual reports, information on how they are implementing this measure and all available information on interactions with seabirds, including bycatch by fishing vessels carrying their flag or authorised to fish by them. This is to include details of species where available to enable the Scientific Committee to annually estimate seabird mortality in all fisheries within the IOTC Area of Competence.

In the conduct of its fishing operations, the Vessel Captains ensures that the crew shall sink the hooks beyond the reach of seabirds as soon as possible after they are put in the water and utilize Tori lines. No changes to report last year. The Philippine does not operate longline vessels fishing south of 25°S . Also, in compliance to the Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled “Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels”, all fishing vessels operating within the RFMO convention area must comply with all the rules and regulations of that RFMO. By

virtue of this provision [Section 3.3.2], all Philippine flagged fishing vessels operating on the convention area are required to comply with the conservation and management measures adopted by and RFMO to which the Philippines is a member of a cooperating non-member.

- Resolution 10/10 Concerning market related measures

For CPCs that import tuna and tuna-like fish products, or in whose ports those products are landed or transhipped, should report, a range of information (e.g. information on vessels / owners, product data (species, weight), point of export) annually. *[A template report exists].*

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2014 have already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY):

No X

The report on import, landing or transhipment of tuna and tuna-like fish products landed or transhipped in port in 2014 is attached to the implementation report:

Yes

No X

Additional information:

Not applicable as the Philippines does not import tuna and tuna-like fish products from any country operating in the IOTC convention area, nor are these products landed or transhipped in any of its designated fishports.

- Resolution 11/04 On a Regional observer scheme

CPCs shall provide to the Executive Secretary and the Scientific Committee annually a report of the number of vessels monitored and the coverage achieved by gear type in accordance with the provisions of this Resolution.

The BFAR did not provide observer coverage as the Indian Ocean is a high risk area.

- Resolution 12/04 On marine turtles

CPCs shall report to the Commission, in accordance with Article X of the IOTC Agreement, their progress of implementation of the FAO Guidelines and this Resolution.

The above activities are merely an extension of the existing Pawikan Conservation Project, though this is mostly done within Philippine jurisdiction. By virtue of Executive Order No. 542, signed on 26 June 1979, the Task Force Pawikan (Marine Turtle Task Force as Pawikan is a local term for sea turtles), now referred to as the Pawikan Conservation Project (PCP), became the Philippine government's urgent response to conserve and manage the dwindling marine turtle resources of the country. The PCP is responsible for the development and implementation of conservation and protection policies, management and propagation schemes, and public information and education

programs to ensure the survival and growth of the country's remaining marine turtle populations. At present, the project is attached to the Wildlife Division of the Protected Areas and Wildlife Bureau now renamed the Biodiversity Management Bureau of the Department of Environment and Natural Resources (DENR). The project has a nationwide scope with pilot sites in the Turtle Island Group in Tawi-Tawi and El Nido (Bacuit Bay in Northwestern Palawan).

In order to achieve its objectives, the project has instituted three major programs:

- Resource Management and Protection,
- Research and Investigation, and
- Information and Education.

Additional activities are need to be put in place in order to extend the Philippines activities on the protection of marine turtles in the Indian Ocean.

- Resolution 14/06 On establishing a programme for transshipment by large-scale fishing vessels

Each flag CPC of the LSTV shall include in its annual report each year to IOTC the details on the transshipments in ports by its vessels (Name of LSTV, IOTC Number, name of carrier vessel, species and quantity transhipped, date and location of transshipment). *[A template report exists].*

The details on transshipment in ports for 2014 have already been provided to the IOTC Secretariat:

Yes Date of reporting (DD/MM/YYYY):09/02/2015
No

The details on transshipment in ports for 2014 are attached to the implementation report:

Yes No

Additional information:

[Click here to enter text.](#)

- Resolution 12/12 To Prohibit the use of large-scale driftnets on the high seas in the IOTC Area

CPCs shall include in their Annual Reports a summary of monitoring, control, and surveillance actions related to large-scale driftnet fishing on the high seas in the IOTC area of competence.

The draft Fisheries Administrative Order [FAO] which is specific to this Resolution had been provided to the National Fisheries and Aquatic Resources. However, the amendments to the Fisheries Code of 1998 were pending before both houses of Congress as of December 30,

2015. This will impact on the draft FAO. Hence, the same had been put on hold to await the action of the President on the amendments to the Fisheries Code of 1998. However, under the Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled “Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels”, all fishing vessels operating within the RFMO convention area must comply with all the rules and regulations of that RFMO. By virtue of this provision [Section 3.3.2], all Philippine flagged fishing vessels operating on the convention area are required to comply with the conservation and management measures adopted by and RFMO to which the Philippines is a member of a cooperating non-member.

- Resolution 13/04 On the conservation of cetaceans

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

A draft Fisheries Administrative Order [FAO] which is specific to this Resolution had been provided to the National Fisheries and Aquatic Resources. However, the amendments to the Fisheries Code of 1998 were pending before both houses of Congress as of December 30, 2015. This will impact on the draft FAO. Hence, the same had been put on hold to await the action of the President on the amendments to the Fisheries Code of 1998. Also, there is the matter of Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled “Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels”, all fishing vessels operating within the RFMO convention area must comply with all the rules and regulations of that RFMO. By virtue of this provision [Section 3.3.2], all Philippine flagged fishing vessels operating on the convention area are required to comply with the conservation and management measures adopted by and RFMO to which the Philippines is a member of a cooperating non-member.

In the meantime, the Philippine flagged fishing vessels have been advised on the requirements in this Resolution and will comply accordingly. Though there are Philippine flagged purse seine fishing vessels in the list of authorized fishing vessels, none were active in 2014 in the convention area.

- Resolution 13/05 On the conservation of whale sharks (*Rhincodon typus*)

CPCs shall report, in accordance with Article X of the IOTC Agreement, any instances in which cetaceans have been encircled by the purse seine nets of their flagged vessels.

Not applicable as there are no active purse seine fishing vessel in the convention area. However, in case there will be active purse seine fishing vessels in the area, under the Department of Agriculture-Bureau of Fisheries and Aquatic Resources had issued BFAR Circular Number 252 Series of 2014 entitled “Rules and Regulations Governing Distant Water Fishing by Philippine Flagged Fishing Vessels”, all fishing vessels operating within the RFMO

convention area must comply with all the rules and regulations of that RFMO. By virtue of this provision [Section 3.3.2], all Philippine flagged fishing vessels operating on the convention area are required to comply with the conservation and management measures adopted by and RFMO to which the Philippines is a member of a cooperating non-member.

- Resolution 14/05 Concerning A Record Of Licensed Foreign Vessels Fishing For IOTC Species In The IOTC Area Of Competence And Access Agreement Information

For Government to Government access agreement in existence prior to the entry into force of this resolution, where coastal CPCs allow foreign-flagged vessels to fish in waters in their EEZ in the IOTC Area for species managed by IOTC through a CPC-to-CPC agreement, CPCs involved in the referred agreement:

- Shall submit copy of the access agreement,
- Shall submit information concerning these agreements (paragraphs 3a, b, c, d, e, f, g),

A report template exists and can be requested at secretariat@iotc.org

There are no CPC-CPC agreements entered into by the Philippines with any other member states in the convention area.