

Appendices

Appendix 1 A Brief History of the NCWC

Executive Order	Members	Main mandate
CABCOM-LOS EO 738, S. of 1981	Minister of Foreign Affairs (Chair) Minister of National Defense Minister of Natural Resources Minister of Energy Minister of Justice Director-General of the National Economic Development Authority	Implementation of the Treaty on the Law on the Sea with respect to political, economic, strategic, security, and other implications
EO 238, S. of 1988	Secretary of Foreign Affairs (Chair) Secretary of ENR (Vice-Chair) Sec of Finance Sec of Justice Sec of Agriculture Sec of National Defense Sec of Trade and Industry Sec of Transportation and Communications Director-Gen, NEDA Sec of Budget and Management Executive Sec Sec of Science and Tech	
CABCOM-MOA EO 186, S. of 1994	Secretary of Foreign Affairs (Chair) Secretary of ENR (Vice-Chair) Sec of Finance Sec of Justice Sec of Agriculture Sec of National Defense Sec of Trade and Industry Sec of Transportation and Communications Director-Gen, NEDA Sec of Budget and Management Executive Sec Sec of Science and Tech	Formulate policies and strategies regarding maritime and ocean concerns in agreement with the provision of UNCLOS
EO 132, S. of 1999	1. Secretary of Foreign Affairs (Chair) 2. Exec Secretary 3. DG of the National Security Council 4. Sec of National Defense 5. Secretary of ENR 6. Sec of Agriculture 7. DG of NEDA/Sec of Socio-Economic Planning 8. Sec of Science and Tech 9. Sec of Transportation and Communications 10. Sec of Energy 11. Sec of Trade and Industry 12. Sec of Justice 13. Sec of Finance 14. Sec of Budget and Management 15. Sec of Interior and Local Govt 16. Sec of Labor and Employment 17. Sec of Tourism	

Functions of Secretariat	Remarks
<ul style="list-style-type: none"> a. Act as the supportive and administrative body of the Cabinet Committee on the Treaty on the Law of the Sea as it affects the Philippines; b. Formulate the necessary administrative and other procedural rules and regulations for the internal management of the Cabinet Committee; c. Prepare, in consultation and in coordination with the other concerned agencies, the administrative, technical and other technological requirements necessary for the effective and efficient management of the 200-mile Exclusive Economic Zone (EEZ) and to issue and disseminate these to the other concerned agencies; d. Prepare, in consultation and in coordination with other concerned agencies, short, medium, and long-term plans for the effective and efficient development, conservation and protection of the 200-mile EEZ; e. Monitor and coordinate the activities of the other concerned agencies in the implementation of the Treaty on the Law of the Sea; f. Prepare the groundwork for any negotiation with other countries in matters concerning overlapping of boundaries, fisheries, energy, mineral and other agreements relating to the conservation, protection and exploitation, development, and management of the 200-mile EEZ; and g. Render a regular and periodic report on its activities. 	<p>Under EO No. 1034, S. of 1985, the Secretariat was transferred to the Secretary-General, Office of the Prime Minister, making the Prime Minister the chairman of the committee. Then Finance Minister Cesar Virata held the position until he left government in 1986. In 1987, under EO. 239, after the Office of the Prime Minister was defunct, the Secretariat was moved to the Department of Foreign Affairs.</p>
<ul style="list-style-type: none"> a. Act as the supportive and administrative body of the Cabinet Committee as it affects the Philippines; b. Formulate the necessary administrative and other procedural rules and regulations for the internal management of the Cabinet Committee; c. Prepare, in consultation and coordination with the other concerned agencies, the administrative, technical and other technological requirements necessary for the effective and efficient management of the 200-mile Exclusive Economic Zone (EEZ) and to issue and disseminate the same; d. Prepare, in consultation and in coordination with the other concerned agencies, short, medium, and long-term plans for the effective and efficient development, conservation and protection of the 200-mile EEZ; e. Monitor and coordinate agencies in the implementation of the United Nations Convention on the Law of the Sea; f. Prepare the groundwork for any negotiation with other countries on matters concerning overlapping of boundaries, fisheries, energy, mineral and other agreements relating to the conservation, protection and exploitation, development and management of the 200-mile EEZ; g. Render a regular and periodic report on its activities; and h. Perform such other duties as the Cabinet Committee may entrust to it. 	<p>This is a reconstitution of CABCOM-LOS to address the newly-reorganized government. An additional six members were added to the committee.</p>
	<p>CABCOM-MOA has a separate Maritime Affairs Research Community which focuses on four aspects, namely: 1) Law, Administration and Enforcement, 2) Marine Economy and Technology, 3) Diplomacy and Security, and 4) Environment, Coastal Management and Education.</p>
<ul style="list-style-type: none"> a. To formulate and recommend a national maritime policy to the President; b. To coordinate the implementation of such policy and periodically evaluate and refine it as necessary; c. To identify and develop policy options in implementing international agreements on the oceans, as well as non-binding instruments, to which the Philippines is a party or signatory; d. To recommend policies, programs, and special projects necessary to advance the national interest and fulfil international commitments relative to the sustainable use of ocean resources and marine environmental protection, e. To formulate and recommend programs, and special projects to enhance the integrated and coordinated management of the maritime and oceans interests of the Philippines, particularly in: <ul style="list-style-type: none"> 1. the protection of the archipelago, including the defense of the national territory, and the development of national capabilities to protect its marine resources; 2. the protection, conservation, and preservation of the marine environment and ocean resources through the proper management of human activities within its maritime jurisdiction; 3. the development and promotion of Philippine interests in shipping, seafaring, fishing, extraction of mineral and energy resources, and other ocean-based industries. f. To formulate programs, coordinate and/or undertake activities to promote the archipelagic consciousness in the country especially among the coastal communities. 	<p>CABOM-MOA's secretariat was reconstituted and renamed as the Maritime and Ocean Affairs Center. CABCOM was supported by a technical committee (TechCom-MOA). This committee was responsible for all research and technical work. It also assists legislators in drafting bills relevant to maritime and ocean affairs. Among the main project of the former TechCom-MOA was the Study for the Delineation of the Outer Limits of the Philippine Continental Shelf</p>

- a. Serve as the Secretariat to the Department of Foreign Affairs on maritime and ocean affairs and provide assistance and administrative support to the Secretary of Foreign Affairs with regard to maritime and ocean matters;
 - b. Promote the development of national capabilities and institutions including human resources, for maritime and ocean affairs;
 - c. Undertake, or cause to be undertaken, the following:
 - 1. consultations with any government agency, concerned maritime and ocean sectors, non-government organizations,
 - 2. academe, and/or the general public, on any maritime related matters as may be deemed necessary;
 - 3. research programs and policy studies on any and/or all maritime sectors as may be needed including those for regulatory, governmental, strategic, or maritime security purposes;
 - 4. initiate steps to harmonize and/or update domestic legislation and rules and Regulations with international agreements or non-binding instruments to which the Philippines is a party;
 - 5. research, data gathering, information acquisition, and preparation for any negotiation or other modes of dispute settlement with other countries in matters concerning the delineation/delimitation of territorial and maritime boundaries, fisheries, energy and mineral exploration, and exploitation in the ocean, or other agreements relating to the conservation, exploration, exploitation, protection, development, and/or management of marine resources within the archipelagic waters, territorial seas and exclusive economic zone as well as areas adjacent to the latter.
 - d. Create and maintain a central database on maritime and ocean affairs, as well as an information-gathering system in the form of the MOAC-GIS, in support of maritime and ocean policy and decision-making and implementation;
 - e. Identify, network with, and mobilize national and/or international expertise and institutions in support of or to assist the Government in maritime and ocean policy and decision making and implementation;
 - f. Undertake, or cause to be undertaken, activities necessary to raise the national archipelagic consciousness and communicate, and publicize in a coordinated manner, national maritime and ocean interests and issues;
 - g. Coordinate the participation of the appropriate agencies of government in international fora, meetings, and conferences that are relevant to the maritime and ocean interests of the Philippines.
 - h. Render a regular report to the Secretary of Foreign Affairs, on all activities undertaken by the Center.
 - i. Source out and avail of grants, endowments or donations from foreign or local entities in accordance with existing laws to be applied to projects or programs and studies to implement the policies or directives of the Department of Foreign Affairs in connection with maritime and ocean affairs.
- DFA will have these functions:
With regard to maritime and ocean affairs, the DFA shall have the following functions:
- a. Oversee and coordinate the implementation of the National Marine Policy and periodically evaluate and update it as necessary;
 - b. Formulate and recommend programs and special projects to enhance the integrated and coordinated management of maritime and ocean interests of the Philippines, particularly in:
 - 1. the protection of the archipelago, including promotion of maritime security in relation to the national territory and maritime jurisdictions and the development of national capabilities to preserve and manage its marine resources;
 - 2. the prevention of the degradation of the marine environment and ocean resources through the proper management of human activities within its maritime jurisdiction;
 - 3. the development and promotion of Philippine interests in shipping, seafaring, fisheries exploitation and extraction of mineral and energy resources, and other ocean-based industries.
 - c. Identify and develop policy options in implementing international agreements on the oceans, as well as non-binding instruments, to which the Philippines is a party or signatory;
 - d. Recommend policies, programs, and special projects necessary to advance the national interest and fulfill international commitments relative to the sustainable use of ocean resources and marine scientific research;
 - e. Source foreign technical and other assistance for projects, in coordination with relevant agencies of the government on the small-scale use of marine resources by subsistence fishermen and their associations to further improve methods of fishing, fish-farming, aquaculture, and marine-related industries which directly help them augment incomes while conserving resources and protecting the environment.
 - f. Formulate programs, coordinate and/or undertake activities to promote the archipelagic consciousness in the country.

CMOA	EO 612, S of 2007	Executive Sec (Chair) Sec of FA (Vice Chair) Sec of Justice (Vice Chair) DND NSC DENR DBM DOTC DOT DTI DA-BFAR SolGen Chief Presidential Legal Counsel NAMRIA PCG	Overall jurisdiction and direction over policy-formulation, implementation and coordination with other departments and experts, both foreign as well as local, on maritime issues.
NCWS	EO 57, S of 2011	NCW Council: 1. Exec Sec (Chair) 2. Sec of TC 3. Sec of ND 4. Sec of FA 5. Sec of ILG 6. SOJ 7. SOE 8. SOF 9. SENR 10. Sec of Agriculture Support Agencies	NCW System is the central mechanism for a coordinated and coherent approach on maritime issues and maritime security operations towards enhancing governance in the country's maritime domain

DFA served as the main agency “in the conduct of the Philippines’ participation in international meetings, conferences, and negotiations on maritime and oceans policy including maritime boundary delimitation. It shall also function as the Secretariat of the CMOA.”

The Council shall be the central inter-agency body which shall be in charge of formulating strategic direction and policy guidance for the NCWS. The Council shall further have the following powers and functions:

- a. Provide strategic direction and policy guidelines for NCWS maritime security operations, and multinational and cross-border cooperation on maritime security;
- b. Conduct periodic review of maritime security operations and render periodic reports to the President and the National Security Council (NSC);
- c. Recommend to the President policies and procedures in managing and securing the country’s maritime domain, as well as the issuance of administrative rules and regulations to enhance maritime security in the Philippines;
- d. Harmonize capability plans and fund requirements relative to maritime security missions;
- e. Harmonize and coordinate the roles and relationships of different government agencies, pursuant to their mandates, relative to the policy direction of maritime security and governance framework as may be determined by the Council;
- f. Convene or dissolve, as the need arises, inter-agency committees and/or working groups to assist the Council in the performance of its functions;
- g. Exercise overall jurisdiction and direction over policy-formulation, implementation and coordination with other government agencies, experts and organizations, both foreign and local, on all maritime issues affecting the country;
- h. Enlist and/or require the support and/or assistance of any department, bureau or agency of the government in the pursuit of its mandates and functions;
- i. Promulgate rules and regulations as may be necessary for the Council to perform its mandate under this Executive Order; and
- j. Perform such other functions as may be deemed necessary by the Chairperson for the effective discharge of its mandate or as may be directed by the President

The National Coast Watch System has a Council, Secretariat and a Center. The Secretariat’s functions are:

- a. Provide consultative research and administrative services to the Council;
- b. Assist the Council in proposing and reviewing legislative and administrative issuances on maritime security;
- c. Assist inter-agency committees and working groups created by the Council in the performance of their respective mandates, including the provision of administrative, technical and secretariat support; and
- d. Perform such other functions and tasks as the Council may direct. The Secretariat shall be headed by an Executive Director, who shall be appointed by the Chairperson, upon the recommendation of the Council. The Council shall determine the personnel requirements of the Secretariat in accordance with applicable laws, rules and regulations.

Meanwhile, the Center’s functions are:

- a. Gather, consolidate, synthesize and disseminate information relevant to maritime security;
- b. Develop and maintain effective communications and information systems to enhance inter-agency coordination in maritime security operations;
- c. Coordinate the conduct of maritime surveillance or response operations upon the request of a member agency or when an exigency arises;
- d. Plan, coordinate, monitor, evaluate, document and report on the conduct of maritime security operations;
- e. When so authorized by the Council, coordinate cross-border and multinational maritime security cooperation;
- f. Coordinate support for the prosecution of apprehended violators;
- g. Develop a common operating picture to enhance maritime situational awareness;
- h. Conduct periodic assessments on maritime security;
- i. When so authorized by the Council, and in coordination with the Department of Foreign Affairs, initiate cross-border and multinational maritime security cooperation; and
- j. Perform such other functions as may be directed by the Council.
- k. The Center shall be established in and headed by the Philippine Coast Guard (PCG).

Appendix 2 Scoping Workshop

PROGRAM OUTLINE NATIONAL MARINE POLICY REVIEW 1ST SCOPING WORKSHOP

Heritage Hotel, Roxas Blvd. corner EDSA, Pasay City
11 May 2015

Program of Activities

- 8:00 Registration
(National Coast Watch Council)
- 9:00 Welcoming Remarks
Mr. Jesse Pascasio
Director for Strategic Planning and Communications,
NCWC Secretariat
- Introduction of the plenary facilitator
Dr. Edna E. A. Co
Executive Director,
UP Center for Integrative and Development Studies
- 9:10 Introduction to the NMP Review
USec. Jose Luis Alano
Executive Director,
NCWC Secretariat
- 9:25 Presentation on the Framework of the NMP Review
- Introduction of the Experts Panel
Dr. Edna E. A. Co
Executive Director, UP CIDS
- 10:15 Question and Answer (clarifications)
Mr. Jesse Pascasio
NCWC Secretariat
- 10:45 Guidelines and Instructions for the Breakout Sessions
Atty. Marilyn Barua-Yap
Secretary General,
House of Representatives
- 11:15 Working Lunch/Breakout Sessions
- 12:30 Parallel Breakout Sessions
- Political and Jurisdictional Policy Area
Edgardo Pangilinan
Deputy Secretary General
House of Representatives
 - Area Development and Conservation Policy
Dr. Marie Antonette Juinio-Meñez
Professor, Director
UP Marine Science Institute
 - Area Regulation and Enforcement Policy
Dr. Edna E. A. Co
Executive Director, UP CIDS
 - Maritime Security Policy
Mr. Jesse Pascasio
NCWC Secretariat
- 15:30 Afternoon break
- 16:00 Plenary: Summary presentations from each breakout session
Atty. Marilyn Barua-Yap
Secretary General,
House of Representatives
- 17:00 End of Workshop

Atty. Marilyn Barua-Yap
Master of Ceremonies and Plenary Facilitator

Guidelines for facilitators in the breakout sessions

The aim of the breakout sessions is to ascertain the role the 1994 NMP has thus far played within the government agencies – whether directly or indirectly. We have come to learn the NMP was not implemented as a core resource or policy paper within many agencies; so we aim to engage relevant agencies and experts in a discussion of how the NMP was used, and how it could become of benefit and relevance to the development of the Philippines through proper and full application in these agencies.

While agencies were sent a matrix to fill out on the uses of the NMP (please find attached), many have not done so and feel that because they have not engaged with the NMP the matrix is not applicable to their specific government body. To combat this we hope this discussion can cover the following points:

(NB: please feel free to allow for flowing discussion on these points as we are trying to gather as much information as we can and hope for these groups to ignite future discussion and interest on the project)

- Have you (prior to the workshops) had any engagement with the NMP, or has it been used in your department to your knowledge?
- If so, how has the NMP been engaged? And how familiar are you with its contents?
- Do you believe, based on your understanding of the NMP, that it is integrated into any policy? If so please outline.
- How do you feel the review of the NMP should change marine and maritime policy and practice in the future?

Scoping Workshop Highlights

Question and Answer

Commodore Joel Garcia, Philippine Coast Guard:

I would like to provide the historical backdrop. In 1994 the reason why we have this NMP is because of the supposed enforcement of [oplos]. The DFA saw the need for an NMP for the good our country, but the desired outcome is different from today – because of this I recommend looking at the past to recognize what is the system – you asked – how come we have a good NMP but it's not enforced, but we have the papers on this; USec. Alano mentioned that there are 30+ agencies implementing our marine policy so you could imagine how it is to implement this with 30+ agencies trying to implement.

One good example is CABCOM-MOA – it's a committee with membership of people just like us, but every time they met, the idea was – what's next – because there was no future direction. They realized as early as 95/6 there

was no way to put forward the national maritime agenda without an agency – so it's nice we now have NCWC.

My second suggestion is before we start we need to recognize the rules and regulations related to marine policy – we need the legal basis – which is the available maritime laws – not only international conventions, and go beyond national jurisdiction.

Speaking of the seafarers, we need to protect them and provide them safety as well as have absolute advantage on this and the Philippines fishing rights in PNG and South America. While beyond our national jurisdiction, it is important to maintain our position – we are the 3rd largest seafood importer to Europe – so how can we maintain this?

We need to identify the industries we have an absolute advantage over other countries and we need to have policy on how to make this an advantage as this is the best way to assert our claim in the South China Sea.

ASec. Raymund Quilop, Department of National Defense:

Despite the fact we have the 1994 policy it seems many are not on board- perhaps because of the political context and the others out there. Maritime security is just one of the pillars. Sometimes we have to thank China – it practically brought to the fore the issues of the maritime agenda; for better or worse it's brought the issue to the heart of the Pilipino. One suggestion, since we're reviewing the policy, is what if we focus on national maritime policy so all other aspects would be captured? Instead of calling it a marine policy, so it is more inclusive?

[Q]:

Regarding the timeline of activities you've shown in the PowerPoint; nowhere in activities is revision report writing. Writing is different to reviewing and both should be done.

The NMP are general motherhood statements; this is intentional, but we have to bear in mind the policy on the operational level and the conceptual level; the national government has to define the policy.

[Q]:

I agree with the concerns from Sir Raymond from DND – I have the same concerns on behalf of myself and the PMG – if we use the word marine or maritime – maritime has bigger perspective to marine.

Mari Ann Acedera, DOST-PCAARRD:

For me marine is bigger than maritime, so we look at the NMP as marine resources which cover maritime also.

Capt. Pedro Lopez, OTS:

The very reason the NMP was published in 1994 is that in January 1994 the Chinese occupied Mischief reef. I observed the fluctuations of the Chinese in that area, so in July that year the NMP came out. The core functions are a protection of maritime resources – during that time the Chinese were already destroying the reefs.

[Q]:

Marine is the broader sense to maritime. Maritime is a pillar of marine. If we're looking for the output- instead of just a revised NMP, why don't we come up with a national maritime plan as an output? - But before we have a marine strategic plan, we need a maritime policy.

Romulo Ubay, Jr., Department of Foreign Affairs:

Being in maritime work since 2004, how can we review the policy if we have not seen it or read it, how can we raise questions on its components without reading it?

If we are to review the NMP in the projected timeline of activities presented in the PowerPoint, a better way to conduct the review is with an initial review with problems, etc. with the NMP. But now we start from scratch, so we now have to be aware what the agencies have done with respect to the NMP. Before today I did some research and I can say we [DFA] have done something on the NMP. So the importance of this before we can say we have failed or are successful in implementing the NMP thus far. The output is a review and then proposing a new one – do we have the authority and competence to do this? The NCWC has already assumed the power CABCOM had.

Jesse Pascasio, NCWC:

Better discuss in breakout groups.

Summary

Atty. Marilyn Barua-Yap
Secretary General
House of Representatives

This scoping workshop teaches us a most valuable lesson that for as long as we are willing to work together in an atmosphere of openness, with the willingness to learn from each other and to share with each other as honestly and as openly as we can, any information or any knowledge that we may have, or any insights or opinions that we may harbor in regard to a particular issue, whether it is a policy

or an operational issue, then we can surface most of our important concerns that can help provide the roadmaps whereby we build along the way, where progress will work.

The participation of diverse stakeholders portrays the extensiveness of the policies we have to pinpoint and scrutinize in this scoping workshop. There is an inherent difficulty in this process, but we successfully synthesized the discourses in the plenary, break-out, and interactive sessions—transecting numerous points and establishing the themes that show prominently in our dialogues. In the end, we have come into common agreements among the break-out session groups representing the four Key Results Areas of the 1994 National Marine Policy: political and jurisdictional policy; area development and conservation policy; area regulatory and enforcement policy; and maritime security policy. In the process of our workshop, we have determined lessons derived from the decades of implementing the National Marine Policy.

Openness and Inclusiveness

Among those highlighted in this workshop is the idea that policy should not be exclusive, but inclusive. It should be inclusive rather than exclusionary, both in terms of crafting and dissemination. While there are many variances in terms of modes of policy development and implementation, the guiding principle is that this should always been inclusionary and never exclusionary. A fair share of information, to the extent that mandates and directives may be followed, should suffice. In relation to this point, all the break out session groups also underscored the idea that while there are hierarchies in our respective agencies, the importance of keeping important information on the higher echelons alone compromises our operational capabilities in terms of enhancing effectiveness and even responsiveness of our operations on the ground.

Integration and Coordination

Another focus would be a review of integrative and coordinative mechanisms. Here, we see coordination as not only in terms of operational or functional relationships among agencies. It is likewise imperative to evaluate the basic points of interactions where inter-agency and multidisciplinary collaboration starts or are governed: the jurisdictional facet of implementation. This idea points to a particular awareness and the need to appreciate better the importance of understanding the legal and regulatory mechanisms governing our policy actions in a particular policy area. The importance of policy mapping in regard to this activity is seen here. While we are focusing on the idea of a marine policy, inclusive of maritime activities, we recognize that this is connected with management, regulation, harnessing, and preservation of our marine and coastal

resources. As mentioned, this grand scope prescribes for an implementation that is efficient, essentially streamlined, and reflexive.

Policy and Resource Mapping

We have to map legislation, inclusive of implementing rules and regulations, agency circulars, and memorandum circulars. Clearly, this mapping, this policy mapping of impacting policies and the main policy we are concerned about would give us a springboard for a deeper, more nuanced, and more intelligent assessment of where we are, in terms of regulatory, functional, and jurisdictional mechanisms and delineations in terms of functional jurisdictions.

Another integral activity would be area mapping; in particular, resource mapping. We have been talking of maritime resources but the break out group in area development and management policy pointed out a very significant thing: the importance of recognizing contexts—the local, spatial, and geographic characteristics of certain marine resources. This can be covered in a bigger umbrella of resource mapping and, without a resource mapping there cannot be a targeted, focused, systematic, and sustained planning of development, assessment, utilization, and even harnessing on a long-term basis of existing marine resources and how maritime interventions can be put into play in terms of this original marine resources.

Accountability

Our discussion now points us to the idea of accountability, from greater responsiveness to accountability. Given the defined and distinct mandates that each agency and instrumentality of government has in developing, implementing, and evaluating, or even refining our marine-related policies, we must delve into the responsibility that each of us is tasked with. That ‘public office is a public trust’ recalls our answerability to the people. How, therefore, given these vast resource allocation and the occasional systematic glitches, can there be a better refinement of accountability measures? Can we show the people that we are able to follow our mandates? Here, too, we appreciate the importance of jurisdictional mapping. We know our accountableness.

Capability and Capacity Building

In terms of resources, there is a great need of capability or capacity building. Capability building is an expansive term that cuts through the policy areas. It contemplates knowledge-based capability building, especially in particular policy areas. Implementers of policies may have inadequate or lack knowledge

of marine resources where the policies ground on. If all our experts have this little appreciation of maritime resources, we are in trouble. We will have to further capability building, both in terms of knowledge-based solutions and infrastructures. This is where an important point surfaced in these discussions: the appropriate harnessing of appropriate technology, in terms of establishing a regime of regulation, management, development, harnessing, and protection of our marine resources.

Sustainability and Transcending Transitions

Another important point raised is the impact of political transitions in policy engineering or to the policy infrastructure. The responsiveness and integrity of a particular policy domain rests in its ability to sustain itself across political transitions. Almost all of the things we are doing should anticipate these transitions. This is where strategic mindset comes in, that we should be able to anticipate possible impacts of transitions in terms of political leadership, so that we can adapt. There is an adaptive capability in terms of policy engineering, policy adjustment, and policy infrastructure.

Responsible Leadership and Inspired Patriotism

In all national endeavors that work towards making government responsible and accountable, the motive power here is the consciousness of the policy leaders, and that is the role of the heads of these agencies. Agency heads are not simply part of the operating mechanisms, they are part of the higher stewards of policies at their fingertips. There is, therefore, the need of a consciousness of oneness and a great measure of patriotism. It seems to be a lost word among many who work in government, the love for the nation, the awareness that when we do not do our work, we diminish and jeopardize the integrity and welfare of the people. With this in mind, we have to have a consciousness that every effort that we put into the overall undertaking of governance counts.

Perhaps in the future, we may be going towards a singular maritime policy or we may be moving towards crafting a comprehensive, integrated policy roadmap. This roadmap may put in place a better and integrated strategy in terms of addressing all the issues and concerns for regulation, management, development, harnessing, and protection of our maritime resources and the concomitant maritime activities.

Appendix 3

Focus Group Discussion

This section contains the details of the focus group discussions, the mechanics, and the guide questions used to facilitate the conversation.

FGD Area	Venue	Inclusive Dates
Palawan	Aziza Paradise Hotel, Puerto Princesa, Palawan	November 23-25, 2015
Davao	Waterfront Insular Hotel, Davao City	January 11-13, 2016
Batanes	BFAR Provincial Office, Batan, Batanes	February 14 -17, 2016
	Sabtang School of Fisheries, Sabtang, Batanes	
Zamboanga	Garden Orchid Hotel, Zamboanga City	February 12, 2016

Focus Group Discussion Mechanics

Objectives

- To learn about the impressions of the local government units and other stakeholders on the current National Marine Policy
- To gauge the needs of the stakeholders that the NMP can address
- To determine the best possible means that a revised NMP can be operationalized at the local level

Facilitating team

- Moderator/Facilitator (Dr. Edna Co/Atty. Mark Gamboa/Shaira Panela)
- Documentors (UP CIDS Research Team)
- Logistics (Aries Ivan Viray)

Outline

1. Welcome
2. Introduction
 - a. Briefly discuss the purpose of the FGD (with brief intro about NMP)
 - b. Discussion of ground rules
 - i. Participants should do the talking
 - ii. No right or wrong answers
 - iii. Speak clearly. No one should interrupt the person speaking
 - iv. What is said in the room stays in the room (confidentiality of their identities)

- v. The session will be recorded
 - vi. Provide time limits for each participant to prevent mic hogging and to allow everyone to talk
 - vii. Ensure that the facilitator understands facilitating rules, i.e., do not interrupt speakers, do not inject personal opinions, speak only to prod participants to speak, and to deepen discussions
 - viii. Note-takers and observers should discreetly identify emerging group-think leaders and those who are not participating to discreetly call the attention of the facilitator to restore order and distribution of speaking privileges
3. Warm-up
 4. Introduction of participants
 5. Discussion proper
 6. Wrap-up
 7. Debriefing

FGD Questions

PART 1: Levelling Off

- Bago po ang FGD na ito, alam niyo po o pamilyar po ba kayo sa National Marine Policy ng Pilipinas?
- Kung oo, gaano po kayo kapamilyar sa nilalaman nito?
- Kung hindi, may mga programa at mga gawain po ba kayo na patungkol sa karagatan? Anu-ano po ang mga iyon?

PART 2: Brief Introduction to the NMP 1994 (focus on the four pillars; put all participants on one page in terms of awareness and appreciation)

PART 3: FGD Proper

1. Base po sa ating napag-usapan ukol sa NMP 1994, ano po ang mga nakikita ninyong mga hakbang ng gobyerno para po matupad yung apat na aspekto ng NMP (political/jurisdiction, development/conservation, regulation/enforcement, at maritime security)?
 - a. Ano ang epekto ng mga hakbang na ito sa inyong pamayanan?
2. Sa inyong karanasan, may mga nakikita ba kayong kahit anong suporta mula sa pamahalaan, gaya sa pagpapalano, pagpapatupad, pag-monitor, at pag-evaluate ng mga programa at gawain sa NMP?
 - a. Kung mayroon, anu-ano ang mga ito?
 - b. Kung wala, ano ang inyong ginagawa upang mapunan ang mga ito?

3. Sa tingin ninyo, may mga pagkukulang ang mga ginagawa ng gobyerno ukol dito?
 - a. Kung mayroon, anu-ano ang mga iyon?
 - b. Kung wala, ano ang inyong ginagawa upang mapunan ang mga ito? Kung wala, ano sa tingin ninyo ang rason kung bakit may mga kakulangan?
 - c. Sa tingin ninyo, anu-ano ang mga maaaring mangyari kung hindi masolusyunan ang mga kakulangang ito?
4. Sa inyong karanasan, may sistema ba ng koordinasyon o ugnayan sa national government at pamahalaang lokal sa pagpapatupad ng mga programa at gawain ukol sa isyung pangkaragatan?
 - a. Kung mayroon, pakipaliwanag ang sistemang ito?
 - b. Kung wala, ano ang inyong ginagawa upang makipag-ugnayan sa national government para sa mga programang ito? Kung wala, ano ang inyong maaaring suhestiyon para maayos ang sistema ng koordinasyon?
5. Sa lokal na konteksto, may sistema ba ng koordinasyon o ugnayan ang pamahalaang lokal at ang mga sektor ng komunidad sa pagpapatupad ng mga programa at gawain ukol sa isyung pangkaragatan?
 - a. Nakasasama ba ang mga NGO, CSO, at pribadong sektor sa pamamahala ng mga programa? Kung oo, pakipapaliwanag ang sistemang ito?
 - b. Kung wala, ano ang inyong ginagawa upang makipag-ugnayan sa iba't ibang sektor ng komunidad? Kung wala, ano ang inyong maaaring suhestiyon para maayos ang sistema ng koordinasyon?
6. Sa inyong mga organisasyon, masasabi ba ninyo na akma ang inyong organisasyon upang mapatupad ang mga programa at gawain ukol sa isyung pangkaragatan? Ipaliwanag nang maigi at malalim ang inyong sagot.
7. May nakikita ba kayong kahit anong proseso tulad ng pagpapalano, budgeting, monitoring, at evaluation sa national government, pamahalaang lokal, at sa mga organisasyon ninyo ukol sa pagpapatupad ng mga programa at gawain ukol sa isyung pangkaragatan?
 - a. Kung oo, malinaw ba ang mga prosesong ito? Ipaliwanag nang maigi at malalim ang inyong sagot.
 - b. Kung wala, ano ang inyong ginagawa upang mag-plano, mag-budget, mag-monitor, at mag-evaluate ng mga programa ukol sa isyung pangkaragatan? Kung wala, anu-ano ang inyong maaaring suhestiyon para maayos ang mga proseso?
8. Sa inyong tingin, evidence-based o data-based ba ang mga programa at gawain ukol sa isyung pangkaragatan? Ipaliwanag nang maigi at malalim ang inyong sagot.

- a. Kung oo, paano naging epektibo ang pamamalakad sa mga programa at gawain?
 - b. Kung hindi, anu-ano ang inyong maaaring suhestiyon para dito?
9. Sa inyong tingin, may sapat bang kaalaman, kakayanan, pagturing, at commitment ang mga opisyal at tauhan upang gampanan ang kanilang mga trabaho ukol sa isyung pangkaragatan? Ipaliwanag nang maigi at malalim ang inyong sagot.
 - a. Kung wala, anu-ano ang mga nakikita ninyong kakulangan sa kanilang kakayanan?
10. Ano ang tingin ninyo tungkol sa papel ng mga unibersidad, kolehiyo, at research institution para makabuo ng mga programa, plano, at gawain ukol sa isyung pangkaragatan?
 - a. Sa inyong tingin, sapat ba ang dami ng mga unibersidad, kolehiyo, at research institution sa inyong lugar para dito? Ipaliwanag nang maigi at malalim ang inyong sagot.
11. Sa inyong tingin, gaano kaepektibo at kahusay ang inyong pamunuan sa pamahalaang lokal at sa mga sektor upang ipatupad ang mga programa, plano, at gawain ukol sa isyung pangkaragatan? Ipaliwanag nang maigi at malalim ang inyong sagot.
12. Sa inyong tingin, mayroon bang mga imprastraktura at pamumuhunan para maayos na maipatupad ang mga programa, plano, at gawain ukol sa isyung pangkaragatan?
 - a. Kung oo, anu-ano ang mga ito? Sa inyong tingin, sapat ba ang mga ito?
 - b. Kung wala, anu-anong mga imprastraktura at pamumuhunan ang kinakailangan?
 - c. Ano ang mga maaaring makapigil upang mapatupad ang mga ito?

May mga tanging isyu na nakapaloob sa ating paksa:

1. Kayo ba ay may kaalaman tungkol sa climate change?
 - a. Kung oo, anu-ano sa inyong tingin ang mga naging epekto ng climate change sa isyung pangkaragatan?
 - b. Kung hindi, may mga napapansin ba kayong pagbabago sa inyong kapaligiran na maaaring magkaroon ng epekto sa mga programa, plano, at gawain ukol sa isyung pangkaragatan? Anu-ano ang mga pagbagagong ito?
 - c. Sa inyong tingin, mabuti ba o masama ang mga pagbabagong ito?
 - d. Ano ang inyong mga suhestiyon upang maagapan ang mga masasamang epekto ng mga pagbabagong ito?
2. Kayo ba ay may isyu ukol sa municipal waters ng inyong komunidad?

- a. Kung mayroon, maaari niyo bang isalaysay ang isyung ito? Kung mayroon, ano sa tingin ninyo ang paraan para malutas ang isyung ito?
- b. Kung wala, tingin niyo ba ay sapat ang mekanismo upang malutas ang kung anumang alitan sa municipal waters?

Appendix 4

Key Informant Interview

This section contains the list of interviewees, the dates in which they were interviewed, and the guide questions used.

Respondent	Position & Department	Date of Interview
Prof. Nygiel B. Armada	Deputy Chief of Party, USAID ECOFISH	November 26, 2015
Prof. Rina Maria P. Rosales	Senior Resource Economist, USAID ECOFISH	January 12, 2016
Ernesto Pernia	Professor Emeritus, UP School of Economics	January 27, 2016
Dep. Dir. Gen. Julio S. Amador III	Deputy Director-General, Foreign Service Institute	November 11, 2015
Prof. Angel C. Alcala	Professor Emeritus, Siliman University Institute of Environmental and Marine Sciences	December 15, 2015
Hon. Antonio Trillanes IV	Senator, Senate of the Philippines	February 18, 2016
Hon. Francisco Ashley L. Acedillo	Representative, Magdalo Party- list	November 10, 2015
Cpt. Rommel Jude G. Ong	Deputy Commander of Naval Officers - Northern Luzon, Philippine Navy	December 8, 2015
Hon. Eugenio B. Bito-Onon Jr.	Mayor, Kalayaan Island Group	November 22, 2015
Prof. Porfirio M. Aliño	Professor, UP Marine Science Institute	January 22, 2016
Prof. Gil Jacinto	Professor, UP Marine Science Institute	January 27, 2016
Prof. Edgardo Gomez	Professor, UP Marine Science Institute	January 27, 2016
Mar Guidote	Project Enforcement Specialist, USAID ECOFISH	January 15, 2016
Prof. Anette Menez	Professor, UP Marine Science Institute	January 27, 2016
Prof. Hussein Lidasan	Professor, UP School of Urban and Regional Planning	February 10, 2016
Aileen Baviera	Professor, UP Asian Center	February 4, 2016
Prof. Jay Batongbacal	Director, Institute of Maritime Affairs and Law of the Sea, UP College of Law	February 1, 2016
Filemon Romero	Professor, Oceanography and Environmental Science, Mindanao State University	February 11, 2016

KII Guide Questions

1. Could you please share with us the practices in your organization/industry/field based on these policy pillars?
 - a. Marine Development and Conservation
 - b. Marine Regulation and Enforcement
 - c. Politics and Jurisdiction
 - d. Marine Security
2. What are the gaps in policies on each pillar based on the practice?
 - a. Marine Development and Conservation
 - b. Marine Regulation and Enforcement
 - c. Politics and Jurisdiction
 - d. Marine Security
3. What are your suggestions on how to address these gaps through policies?
4. What inputs do you think we need to bring in to address those gaps in terms of the following:
 - a. Resources
 - b. Enabling policies
 - c. Inter-operability
 - d. Competency requirements
 - e. Knowledge, learning and education
 - f. Leadership
5. What issues should be included in the priorities of the Marine/Maritime Strategic Plan of the Philippines?
6. Do you have other recommendations regarding the revised National Marine Policy?

Appendix 5

Comparison and Categorization of Different Marine/Ocean Policies to the 1994 NMP

Pillar	Australia	China	USA
Area conservation and development	<ul style="list-style-type: none"> • biodiversity conservation and ecosystem health • climate variability and change • resource allocation: optimal sharing of NR and environmental assets • extension of the national faculty concept • the need for a marine science strategic program • a national marine science steering committee • biodiversity conservation and ecosystem health: support to describe biodiversity in unexplored areas, develop functional understanding of ecological communities of seabed and water column habitats to find and develop national efforts in environmental monitoring, and development of tools to predict the nature and consequence of changes in biodiversity as a result of human intervention • dealing with changing climate: refine understanding of the impact of SLR, increasing sea temperature, the role of the ocean as a carbon sink and ocean acidification to support government efforts to mitigate and adapt to CC • optimal resource allocation: address critical policy and management issues by integrating social, economic and environmental information and developing tools and skills to assist in transparent, robust and accountable DM 	<ul style="list-style-type: none"> • Needs from Sustained Economic Development in Marine Science and Technology • Social Development Demand on Marine Science and Technology • Needs in Marine Science and Technology from National Maritime Rights and Interests • Needs in the Marine Science and Technology from Development of Science and Technology 	<p>Ocean economy:</p> <ul style="list-style-type: none"> • supporting economic growth • -promoting jobs • -developing a skilled ocean workforce <p>Coastal and ocean resilience:</p> <ul style="list-style-type: none"> • reducing adverse conditions • -preparing for change • -recovering and sustaining ocean health <p>Science and information:</p> <ul style="list-style-type: none"> • enhancing our understanding of ocean and coastal systems • strengthening our ability to acquire marine data and provide information • improving science based products and services for informed decision making

CTI	ArcDev	Indonesia	Malaysia
<p>Threats and vulnerabilities</p> <ul style="list-style-type: none"> • current issues in marine resource management • emerging issues in MRM • recent developments in MR use • national plan of action initiatives and future plans • priority seascapes designated and effectively managed • ecosystem approach to management of fisheries and other marine resources fully applied • MPA established and effectively managed • CC adaptation measures achieved • threatened species status improving 	<p>Three of the five imperatives for a Sustainable Archipelagic Development Framework:</p> <ul style="list-style-type: none"> • sustainable resource management • growth with equity • acknowledgment of threats and challenges, including habitat degradation, overexploitation, etc. 	<ul style="list-style-type: none"> • people-centered biodiversity conservation • sustainable development, poverty reduction, equitable benefit sharing • science-based • effectively and sustainably managed priority seascapes • ecosystem approach to management of fisheries and other marine resources (EAFM) • establishment and management of marine protected areas <p>For improving threatened species status:</p> <ul style="list-style-type: none"> • regular monitoring for ecological as well as economic aspects of seascape • develop National Action Plan on fishing capacity • improve the income, livelihoods, and food security of 50 million people living in coastal communities through the CTI Sustainable Coastal Fisheries and Poverty Reduction Initiative (COASTFISH) • establish a school/ training center for Marine Environmental Conservation Management 	<ul style="list-style-type: none"> • Complete the tagging program for economically important pelagic fish species in the Sulu and Sulawesi Seas • Jointly complete Rapid Seascape Assessments for the Malacca Strait and the Sunda Shelf region of the South China Sea • Marine and coastal resources within all “priority seascapes” are being sustainably managed • Effective measures in place to help ensure exploitation of shared tuna stocks is sustainable, with tuna spawning areas and juvenile growth stages adequately protected • Marine Protected Areas Established and Effectively Managed • Improved income, livelihoods and food security in an increasingly significant number of coastal communities across the region through a new Sustainable Coastal Fisheries and Poverty Reduction Initiative (COASTFISH). • A more effective management and sustainable trade in live-reef fish and reef-based ornamentals achieved • Region-wide coral triangle MPA System (CTMPAS) in place and fully functional • Improved status of sharks, sea turtles, seabirds, marine mammals, corals, sea grass, mangroves and other identified threatened species

Pillar	Australia	China	USA
Area regulation and enforcement	Food security: <ul style="list-style-type: none"> • research to support a booming aquaculture industry, data and tools to manage wild-catch fisheries better 		Safety and security: <ul style="list-style-type: none"> • improving maritime domain awareness • providing maritime safety and security in a changing arctic • enhancing the safety and security in maritime waterways Local choices: <ul style="list-style-type: none"> • providing tools for regional action • strengthening regional partnerships • supporting regional priorities
Politics and jurisdiction	<ul style="list-style-type: none"> • energy security • foods security • energy security: support for developing energy resources, particularly LNG and renewable energy, and mapping and modeling to find and develop carbon sequestration. 		

CTI	ArcDev	Indonesia	Malaysia
<p>Governance:</p> <ul style="list-style-type: none"> • overall governance • national and local governance • toward integrated management • large-scale biodiversity conservation • locally managed MPA • sector laws and policies • climate change initiatives 	<ul style="list-style-type: none"> • Archipelagic ecosystem approach 	<ul style="list-style-type: none"> • study on governance and legal aspect for functioning seascape in Indonesia • study on governance and legal aspects in Indonesian part of Sulu Sulawesi Marine Ecoregion • development of national policy on seascapes consistent with decentralization of governance of marine and coastal resources (legal basis, institutional framework, capacity assessment) • develop further and implement regulation for optimizing fishery resource management area (FMA) • ensure enforcement of urgent measures that can halt illegal exploitation of resources within MPAs 	<ul style="list-style-type: none"> • strong legislative, policy, and regulatory frameworks in place for achieving an Ecosystem Approach to Fisheries Management (EAFM) • establish a national policy on EAFM • update Fisheries Act 1985 • adequate maritime enforcement capacity • coordinated and mutually supportive enforcement between neighboring countries
<p>Socio-economic characteristics:</p> <ul style="list-style-type: none"> • demography • food security • livelihood strategies for socio economic security • fisheries • coastal tourism • minerals, oil, gas • transport and shipping • traditional knowledge of IP in coastal areas • gender-related issues 	<ul style="list-style-type: none"> • recognition of the political and jurisdictional challenges of implementation of an archipelagic development policy 	<ul style="list-style-type: none"> • aligned with international and regional commitments (SSME, Convention on Biological Diversity, Millennium Development goals, ASEAN, APEC, Pacific Islands Forums, CITES, UNCLOS, Regional Fisheries management Organizations, and UNFCCC) • recognizes the transboundary nature of some important marine natural resources • studies on different aspect of jurisdiction and governance of marine resources in the border areas countries in Sawu and Sulu Sulawesi Seascapes • evaluate and enforce series of government regulation, ministerial regulation, decree pertaining to international commitment on fisheries issues. 	<ul style="list-style-type: none"> • complete the National Coastal Zone Physical Plan for Peninsular Malaysia and East Malaysia • identify and assess Particularly Sensitive Sea Areas (PSSA) within Malaysian Priority Seascapes • participation in Convention on Biological Diversity, Langkawi Declaration, Jakarta Mandate, Ramsar, Rio Declaration, UNCLOS, Transnational Regulations under the Environmental Quality Act and the Customs Regulations, Malaysian-Thailand Joint Development Authority Act of 1990, and Putrajaya Declaration of Regional Cooperation for the Sustainable Development of the Seas of east Asia

Pillar	Australia	China	USA
Marine security	<ul style="list-style-type: none"> • maritime sovereignty • sovereignty, security, natural hazards: enhancing optimal oceanographic, forecasting, increased effort on fine-scale hydrologic data and charts 		
Additional areas not covered in NMP but in other documents	National overview	<p>The International Forefront and Trends of Development in Marine Science & Technology</p> <ul style="list-style-type: none"> • The National Marine Development Strategies of World's Major Countries • Major International Marine Scientific Research Plans • The International Trends of Development in Marine Science and Technology 	

CTI	ArcDev	Indonesia	Malaysia
<ul style="list-style-type: none"> issues relating to law enforcement, safety, security and protection of territorial claims [found in governance] 	<ul style="list-style-type: none"> integration of local and international policies to address security conflicts and issues 	<ul style="list-style-type: none"> integrated monitoring program for Sulu Sulawesi, Sunda-Banda, and Sawu Seascapes initiate collaborative patrols and surveillance on IUU Fishing provide technical assistance to strengthen community capacity in fisheries resource monitoring and surveillance 	
<ul style="list-style-type: none"> biophysical overview [introduction type] 	<ul style="list-style-type: none"> integration of the 4 pillars into a holistic approach in marine policy—archipelagic ecosystem approach 	<ul style="list-style-type: none"> networked National Centers of Excellence on Climate Change Adaptation 	<ul style="list-style-type: none"> region-wide early action plan for climate change adaptation for the near-shore marine and coastal environment and small island ecosystems developed and implemented. networked National Centers of Excellence on Climate Change Adaptation for Marine and Coastal Environments are established and in full operation

Appendix 6

International Agreements and Treaties Related to the National Marine Policy

International Agreement	Brief Description
Rio Declaration on Environment and Development & Agenda 21	[SEC. 2, CHAP. 17] Protection of the oceans, all kinds of seas, and coastal areas and the protection, rational use and development of their living resources.
United Nations Convention on the Law of the Sea	Comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources. Enshrines the notion that all problems of ocean space are closely interrelated. Governs all aspects of ocean space, such as delimitation, environmental control, marine scientific research, economic and commercial activities, transfer of technology and the settlement of disputes relating to ocean matters.
Convention on Biological Diversity	Article 6 Develop national strategies plans of programmes for the conservation and sustainable use of biodiversity or adapt existing strategies for their purpose.
Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks or the Straddling Fish Stocks Agreement	Sets out principles for the conservation and management of fish stocks and establishes management based on the precautionary approach and the best available scientific information. Cooperation in the conservation and management of those resources.
Convention on the International Trade of Endangered Species of Wild Flora and Fauna	Ensuring the trade of wild animals worldwide does not impede/ threaten their survival.
Convention on Migratory Species	Under the UNEP - concerned with the conservation of wildlife and habitats on a global scale. Aims to conserve terrestrial, aquatic and avian migratory species throughout their range.
Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (2001)	The MoU puts in place a framework whereby states of the Indian Ocean and Southeast Asian region, as well as other concerned states can work together to conserve and replenish depleted marine turtle populations for which they share responsibility.
CMS MoU Sharks	Aims to achieve and maintain a favourable conservation status for migratory sharks based on scientific information and taking into account the socio-economic value of these species for the people in various countries.

International Agreement	Brief Description
CMS MoU Dugong	Facilitates national level and transboundary actions that will lead to the conservation of dugong's populations and their habitats. Provides basis for the focused species and habitat specific activities within their migratory range.
United Nations Framework Convention on Climate Change	<p>The UNFCCC is one of three Rio Conventions. Its sister Rio Conventions are the UN Convention on Biological Diversity and the Convention to Combat Desertification. The three are intrinsically linked.</p> <p>The ultimate objective of the Convention is to stabilize greenhouse gas concentrations [within a time-frame sufficient to allow ecosystems to adapt naturally to climate change] to a level that would prevent dangerous anthropogenic interference with the climate system.</p> <p>The Convention acknowledges the vulnerability of all countries to the effects of climate change and calls for special efforts to ease the consequences, especially in developing countries, which lack the resources to do so on their own.</p>
Kyoto Protocol to the United Nations Framework Convention on Climate Change	<p>Extends the 1992 United Nations Framework Convention on Climate Change (UNFCCC) that commits State Parties to reduce greenhouse gases emissions, based on the premise that human-induced global warming exists.</p> <p>The Protocol is based on the principle of common but differentiated responsibilities: it puts the obligation to reduce current emissions on developed countries on the basis that they are historically responsible for the current levels of greenhouse gases in the atmosphere.</p> <p>Philippines is a non-binding annex-B country - meaning it is without binding targets.</p>
Convention on the Prevention of Marine Pollution by Dumping Wastes and Other Matter (London Convention) (1972, entered into force: 1975)	<p>Contributes to the international control and prevention of marine pollution by prohibiting the dumping of certain hazardous materials. In addition, a special permit is required prior to dumping of a number of other identified materials and a general permit for other wastes or matter.</p> <p>The London Protocol stresses the precautionary approach. It also states "the polluter should, in principle, bear the cost of pollution" The 1996 Protocol restricts all dumping except for a permitted list (which still require permits).</p>
Montreal Protocol on Substances That Deplete the Ozone Layer	<p>Designed to reduce the production and consumption of ozone depleting substances in order to reduce their abundance in the atmosphere to protect the earth's fragile ozone Layer.</p> <p>The Protocol includes a unique adjustment provision that enables the Parties to the Protocol to respond quickly to new scientific information and agree to accelerate the reductions required on chemicals already covered by the Protocol.</p>
Protocol of 1978 Relating to the International Convention for the Prevention of Pollution From Ships, 1973 (MARPOL)	The main international convention covering prevention of pollution of the marine environment by ships from operational or accidental causes. The Convention includes regulations aimed at preventing and minimizing pollution from ships - both accidental pollution and that from routine operations.

International Agreement	Brief Description
Convention on Wetlands of International Importance Especially As Waterfowl Habitat (Ramsar)	<p>Intergovernmental treaty providing a framework for national action and international cooperation for the conservation and wise use of wetlands and resources. The Convention uses a broad definition of wetlands. It includes all lakes and rivers, underground aquifers, swamps and marshes, wet grasslands, peatlands, oases, estuaries, deltas and tidal flats, mangroves and other coastal areas, coral reefs, and all human-made sites such as fish ponds, rice paddies, reservoirs and salt pans.</p> <p>Under the “three pillars” of the Convention, the Contracting Parties commit to:</p> <ul style="list-style-type: none"> • Work towards the wise use of all their wetlands; • Designate suitable wetlands for the list of Wetlands of International Importance (the “Ramsar List”) and ensure their effective management; • Cooperate internationally on transboundary wetlands, shared wetland systems and shared species.
International Convention for the Regulation of Whaling [WITHDRAWN 2014]	<p>Governs the commercial, scientific, and aboriginal subsistence whaling practices of fifty-nine member nations. Provides the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry.</p>
Southeast Asian Nuclear Treaty (SEANWFZ) or the Bangkok Treaty of 1995	<p>Nuclear weapons moratorium treaty between 10 Southeast Asian member-states under ASEAN. The Zone is the area comprising the territories of the states and their respective continental shelves and Exclusive Economic Zones.</p>
Sino-Philippine Treaty of Amity Seabed Arms Control Treaty (or Seabed Treaty, formally the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil thereof)	<p>Sought to prevent the introduction of international conflict and nuclear weapons into an area hitherto free of them. Banning the emplacement of nuclear weapons or “weapons of mass destruction” on the ocean floor beyond a 12-mile (22.2 km) coastal zone. It allows signatories to observe all sea bed “activities” of any other signatory beyond the 12-mile zone to ensure compliance.</p>
Philippines-United States Visiting Forces Agreement	<p>Bilateral visiting forces agreement between the Philippines and the United States consisting of two separate documents. VFA-1 allows the U.S. government to retain jurisdiction over U.S. military personnel accused of committing crimes in the Philippines, unless the crimes are of «particular» importance to the Philippines. The primary effect of the Agreement is to require the U.S. government to notify PH authorities when it becomes aware of the apprehension, arrest or detention of any PH personnel visiting the U.S. and when so requested by the PH government, to ask the appropriate authorities to waive jurisdiction in preference of PH, except cases of special interest to the U.S. departments of State or defense.</p>
Philippine-Australia Status of Visiting Forces Agreement	<p>The Philippine-Australia Status of Visiting Forces Agreement is a bilateral agreement between the governments of the Philippines and Australia concerning the status of armed forces from each state while in the territory of the other. The agreement only applies to troops temporarily in a country.</p>

International Agreement	Brief Description
Treaty on the Non-Proliferation of Nuclear Weapons	Prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy and to further the goal of achieving nuclear disarmament and general and complete disarmament.
Statute of the International Atomic Energy Agency (1957)	Accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world.
Comprehensive Nuclear Test Ban Treaty (September 1996)	States agree to ban all nuclear explosions in all environments, for military or civilian purposes. Philippines: Not Annex 2, signed and ratified
International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990	International maritime convention establishing measures for dealing with marine oil pollution incidents nationally and in co-operation with other countries. It applies to vessels of any type operating in the marine environment, fixed or floating offshore installations, sea ports and handling facilities - excludes warships, naval auxiliary or government owned ships.
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (1992, came into force 2006)	To provide compensation for pollution damage to the extent that the protection afforded by the 1969 Civil Liability Convention is inadequate. Give relief to ship owners in respect of the additional financial burden imposed on them by the 1969 Civil Liability Convention, such relief being subject to conditions designed to ensure compliance with safety at sea and other conventions. To give effect to the related purposes set out in the Convention.
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	Ensure that international trade in specimens of wild animals and plants does not threaten their survival.
Cartagena Protocol on Biosafety to the Convention on Biological Diversity	Aims to ensure the safe handling, transport, and use of living modified organisms resulting from modern biotechnology that may have adverse effects on biological diversity, taking also into account risks to human health.
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Basel Convention)	Protect human health and the environment against the adverse effects of hazardous wastes. The reduction of hazardous waste generation and the promotion of environmentally sound management of hazardous wastes, wherever the place of disposal. The restriction of transboundary movements of hazardous wastes except where it is perceived to be in accordance with the principles of environmentally sound management; and a regulatory system applying to cases where transboundary movements are permissible.
International Convention for the Safety of Life at Sea (SOLAS)	Ensures that ships flagged by signatory States comply with minimum safety standards in construction, equipment and operation. The SOLAS Convention in its successive forms is generally regarded as the most important of all international treaties concerning the safety of merchant ships.

International Agreement	Brief Description
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade)	To promote shared responsibility and cooperative efforts in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm and contribute to the environmentally sound use of those hazardous chemicals by facilitating information exchange about their characteristics, providing for a national decision-making process in their import and export and information sharing.
Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf	States agree to prohibit and punish behaviour that may threaten the safety of offshore fixed platforms, including oil platforms.
Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation	States agree to prohibit and punish behaviour which may threaten the safety of maritime navigation.
Maritime Labour Convention (2006)	Established minimum working and living standards for all seafarers on those ships. Step toward ensuring fair competition and a level-playing field for quality owners of ships flying the flags of ratifying countries.
Japan-Philippine Economic Partnership Agreement	Economic partnership agreement concerning bilateral investment and free trade agreement between Japan and the Philippines.
International Regulations for Preventing Collisions at Sea (COLREGS)	Navigation rules to be followed by ships and other vessels at sea to prevent collisions between two or more vessels. COLREGs can also refer to the specific political line that divides inland waterways, which are subject to their own navigation rules, and coastal waterways, which are subject to international navigation rules.
International Convention on Load Lines (CLL), 1966, see further revisions in 2003	Harmonize the survey and certification requirement of the 1966 Convention with those contained in the International Convention for the Safety of Life at Sea (SOLAS) and MARPOL 73/78.
	In accordance with the International Convention on Load Lines (CLL 66/88), all assigned load lines must be marked amidships on each side of the ships engaged in international voyages.
	This Convention provides for the terms of ship's surveys, issuance, duration, validity and acceptance of International Load Line Certificates, as well as relevant State control measures, agreed exemptions and exceptions.
International Convention on Civil Liability for Oil Pollution Damage or the CLC Convention (1992)	Ensures that adequate compensation is available to persons who suffer oil pollution damage resulting from maritime casualties, involving oil-carrying ships.
Agreement for the Establishment of the Indian Ocean Tuna Commission (1996)	Intergovernmental organization that coordinates the regulation and management of tuna in the Indian Ocean.

International Agreement	Brief Description
Convention establishing a Customs Cooperation Council	Work in areas covering the development of international conventions, instruments, and tools on topics such as commodity classification, valuation, rules of origin, collection of customs revenue, supply chain security, international trade facilitation, customs enforcement activities, combating counterfeiting in support of Intellectual Property Rights, integrity promotion, and delivering sustainable capacity to assist with customs reforms and modernization.
Convention of Atlantic Tunas (1969, entered into force) managed by ICCAT	Responsible for the conservation of tunas and tuna-like species in the Atlantic ocean and adjacent areas.
Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (2004)	Ensures the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement.
Cebu Declaration on East Asian Energy Security (January 15, 2007)	Promotes energy security and find energy alternatives to conventional fuels. Lists a series of goals aimed at providing “reliable, adequate and affordable” energy supplies.
ASEAN Economic Integration (on maritime transport)	Aimed at providing facilitation and cooperation in improving the conditions under which maritime cargo and passenger transport operations are carried out between the ports of the Contracting Parties, as well as between the ports of the Contracting Parties and the ports of third countries, for the benefit of economic operators of the Contracting Parties. The Contracting Parties shall refrain from any action that might be detrimental to the unrestricted participation of shipping companies of the Contracting Parties in maritime transport between the Contracting Parties as well as between the Contracting Parties and third countries.
Agreement for the Establishment of the Asia-Pacific Fishery Commission	Regional Consultative Forum raising awareness amongst member countries, fisheries organizations and fisheries professionals in the Asia-Pacific region. Including co-management of fisheries, low value/trash fish (may be referred to as bycatch where not targeted catch) in the region, illegal, unreported and unregulated fishing and fishing capacity management, certification in fisheries and aquaculture, ecosystem approach to fisheries and aquaculture and improving resilience of fishery livelihoods. Focus on developing a training course for Ecosystem Approach to Fishery Management and guidelines for tropical trawl fisheries management.

Appendix 7

Experts

Prof. Porfirio Alexander M. Aliño, PhD is Professor at the University's Marine Science Institute. He received his Doctor of Philosophy in Marine Chemical Ecology (1989) from James Cook University, Australia, and his Master's (1983) and bachelor's degree (1978) in Marine Biology from UP. He was cited as one of the Ten Outstanding Young Scientists in 1993, Gawad Chanselor Awardee for Extension Work (2000), Hugh Greenwood Environmental Science Awardee (2003), and was recently conferred as member Academician of the National Academy of Science and Technology (2014). He has led various consultancies and technical working groups in marine resource assessment and conservation, impact assessment, sustainable fisheries, coastal ecosystems management, climate change adaptation, among others. Dr. Aliño's research works have been widely published in international and national refereed journals. His pioneering research in the Kalayaan Island Group in the 1990s continues to be a cornerstone in marine ecology and oceanography research for the West Philippine Sea.

Prof. Nathaniel Cal Añasco is Associate Professor at the Institute of Marine Fisheries and Oceanology of the College of Fisheries and Ocean Sciences in UP Visayas, where he served as Director in 2011-2013. He received his Doctor of Philosophy in Fisheries Science (2010) from Kagoshima University, Japan as a Monbukagakusho Scholar, and Master of Science in Fisheries Science and Technology (2007) from the same university. Dr. Añasco was cited as an Outstanding Young Scientist in Fisheries Science by the National Academy of Science & Technology in 2011 and received UP Visayas' Diamond Jubilee Professorial Chair in Fisheries (2011). His research interests center on marine pollution and ecotoxicology, marine fisheries biology, fish population responses to changing marine environment, and ecosystem-based fisheries management. He has also led and participated in various consultancies in environmental assessment. His researches have been published in several peer-reviewed journals.

Prof. Jay L. Batongbacal, JSD is a leading national expert in maritime law and regional geopolitics over the West Philippine Sea disputes. He is Director of the UP Institute for Maritime Affairs and Law of the Sea and Assistant Professor at the UP College of Law. He received his Doctor of Juridical Science (2010) as a Pierre Elliot Trudeau Scholar, and Master in Marine Management (1997), specializing in the Law of the Sea, from Dalhousie University, Nova Scotia, Canada. His researches have been published in the Yearbook of International Environmental Law, Public Policy Journal, Social Science Diliman, Chinese Studies Journal, among others. He headed the Philippine Center for Marine

Affairs, delivered training courses at the International Oceans Institute, and served as legal adviser for the inter-disciplinary technical working group that successfully pursued the Philippine claim to a continental shelf beyond 200 nautical miles in the Benham Rise Region before the Commission on the Limits of the Continental Shelf. Dr. Batongbacal is currently a U.S.-ASEAN Fulbright Initiative Visiting Scholar affiliated with East-West Center in Washington.

Prof. Aileen San Pablo-Baviera, PhD is one of the Philippines' foremost geopolitical experts in Philippine-China relations. She is Professor and former Dean (2003-2009) of the UP Asian Center, President of Asia Pacific Pathways to Progress Foundation since 2014, and Editor-in-Chief of Asian Politics & Policy (Wiley Blackwell) since 2010. She received her Doctor of Philosophy in Political Science (2003), Master of Arts in Asian Studies (1987), with specialization in Chinese/East Asian studies, and Bachelor of Science in Foreign Service (1979), cum laude, from the University. Her researches revolve on contemporary Chinese studies in a multidisciplinary perspective, China-Southeast Asia relations, Asia-Pacific security, territorial and maritime disputes, and regional integration. Dr. Baviera teaches graduate courses on international relations, security studies, and on Chinese politics and governance.

Prof. Gil S. Jacinto, PhD is Professor at the UP Marine Science Institute, where he researches on nutrient and trace element chemistry in tropical marine environments, marine pollution chemistry, submarine groundwater discharge, hypoxia, and seawater carbonate chemistry. He has headed numerous studies on contaminations, marine pollution, coral reef ecosystems, and has been consultant and resource person for various private and government activities on the matter. He received his PhD in Marine Chemistry from the University of Liverpool in England (1988) and his Master's Degree in Oceanography from the University of the Philippines (1983).

Atty. Celeste Ruth L. Cembrano-Mallari, LLM is Law Reform Specialist at the UP Institute of International Legal Studies. She received her Master of Laws (2009), specializing in international legal studies, from Kyushu University, Japan; and her Bachelor of Laws (2003) and Bachelor of Arts in European Studies, major in French (1995), from UP.

Prof. Marie Antonette Juinio-Meñez, PhD is Director and Professor of the University's Marine Science Institute. She is a coastal resources management consultant and has extensively researched on invertebrate biology, larval ecology and recruitment, benthic ecology, and population genetics, as well as culture and fisheries management of invertebrates, stock restoration, community-based coastal resources management, and environmental governance. She received

her Doctor of Philosophy in Biological Sciences (1991) from the University of Rhode Island as well as her Master of Science in Marine Biology (1986).

Prof. Ernesto M. Pernia, PhD is an expert in development economics, demographic and human resource economics, regional and urban economics, and macroeconomics in the country. He is Professor Emeritus of Economics in UP since 2013 and was Lead Economist of the Asian Development Bank (1999-2003).

Prof. Nathaniel Diola, D.Engg is an associate professor in the College of Engineering. He has served as the director of the Building Research Service of the National Engineering Center for 11 years (2002-2013). He took his doctorate in Civil Engineering, major in Concrete Technology, at the Tokyo Institute of Technology. He is also a prominent figure in green (environment-friendly) technologies in the Philippines. He currently heads the ERDT (Engineering Research and Development for Technology) Marine Concrete Program sub-track. Among his current studies are concrete structures in marine environment and marine concrete.

Appendix 8 Laws and Policies on Marine and Maritime Affairs

Politics and Jurisdiction

REPUBLIC ACTS	
No.	Title
3046	An Act Defining The Baselines Of The Territorial Sea Of The Philippines. (AS AMENDED BY RA NO. 5446)
5446	AN ACT TO AMEND SECTION ONE OF REPUBLIC ACT NUMBERED THIRTY HUNDRED AND FORTY-SIX, ENTITLED "AN ACT TO DEFINE THE BASELINES OF THE TERRITORIAL SEA OF THE PHILIPPINES"
5713	AN ACT CREATING A PHILIPPINE COAST GUARD, PRESCRIBING ITS POWERS AND FUNCTIONS, APPROPRIATING THE NECESSARY FUNDS THEREFOR, AND FOR OTHER PURPOSES.
6542	AN ACT MAKING THE MUNICIPALITY OF MASINLOC, PROVINCE OF ZAMBALES, A PORT OF ENTRY, BY AMENDING SECTION SEVEN HUNDRED ONE OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED.
7586	National Integrated Protected Areas System Act of 1992
9355	An Act Creating The Province of Dinagat Islands
9400	AN ACT AMENDING REPUBLIC ACT NO. 7227, AS AMENDED, OTHERWISE KNOWN AS THE BASES CONVERSION AND DEVELOPMENT ACT OF 1992, AND FOR OTHER PURPOSES
9993	Philippine Coast Guard Law of 2009
10629	An Act Providing for the Retention by the Protected Area Management Board of Seventy-Five Percent (75%) of the Revenues Accruing to the Integrated Protected Areas Fund (IPAF), Amending For The Purpose Section 16 of Republic Act No. 7586, Otherwise Known as The National Integrated Protected Areas System Act Of 1992
10635	AN ACT ESTABLISHING THE MARITIME INDUSTRY AUTHORITY (MARINA) AS THE SINGLE MARITIME ADMINISTRATION RESPONSIBLE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE 1978 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, AS AMENDED, AND INTERNATIONAL AGREEMENTS OR COVENANTS RELATED THERETO

PRESIDENTIAL DECREES	
No.	Title
198	PROVINCIAL WATER UTILITIES ACT OF 1973 - DECLARING A NATIONAL POLICY FAVORING LOCAL OPERATION AND CONTROL OF WATER SYSTEMS; AUTHORIZING THE FORMATION OF LOCAL WATER DISTRICTS AND PROVIDING FOR THE GOVERNMENT AND ADMINISTRATION OF SUCH DISTRICTS; CHARTERING A NATIONAL ADMINISTRATION TO FACILITATE IMPROVEMENT OF LOCAL WATER UTILITIES; GRANTING SAID ADMINISTRATION SUCH POWERS AS ARE NECESSARY TO OPTIMIZE PUBLIC SERVICE FROM WATER UTILITY OPERATIONS, AND FOR OTHER PURPOSES
474	PROVIDING FOR THE REORGANIZATION OF MARITIME FUNCTIONS IN THE PHILIPPINES, CREATING THE MARITIME INDUSTRY AUTHORITY, AND FOR OTHER PURPOSES.
505	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE COUNTRY, CREATING THE PHILIPPINE PORT AUTHORITY, PAVING THE WAY FOR THE ESTABLISHMENT OF INDIVIDUAL, AUTONOMOUS PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE DIFFERENT PORT DISTRICTS, AND FOR OTHER PURPOSES.

1284	GRANTING AUTHORITY TO THE PHILIPPINE PORTS AUTHORITY TO PLAN, CONSTRUCT, DEVELOP AND MAINTAIN ALL PORT TERMINAL FACILITIES IN THE INTERNATIONAL PORT NORTH HARBOR, MANILA BAY, TO SUPERVISE THE OPERATION AND MANAGEMENT OF SUCH FACILITIES, AS AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 634, DATED 7TH OF JANUARY 1975, REPEALING PRESIDENTIAL DECREE NO.802 DATED 18TH SEPTEMBER 1975, AND FOR OTHER PURPOSES
857	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE PHILIPPINES, REVISING PRESIDENTIAL DECREE NO. 505 DATED JULY 11, 1974, CREATING THE PHILIPPINE PORT AUTHORITY, BY SUBSTITUTION, AND FOR OTHER PURPOSES.

EXECUTIVE ORDERS	
No.	Title
542 (1979)	Creating the Task Force Pawikan and Appropriating Funds Therefor
525 (1979)	DESIGNATING THE PUBLIC ESTATES AUTHORITY AS THE AGENCY PRIMARILY RESPONSIBLE FOR ALL RECLAMATION PROJECTS
927 (1983)	FURTHER DEFINING CERTAIN FUNCTIONS AND POWERS OF THE LAGUNA LAKE DEVELOPMENT AUTHORITY
192 (1987)	THE REORGANIZATION ACT OF THE DENR
292 (1987)	THE PHILIPPINE ADMINISTRATIVE CODE
149 (1993)	STREAMLINING THE OFFICE OF THE PRESIDENT, RESULTING TO THE TRANSFER OF ADMINISTRATIVE SUPERVISION OF THE LAGUNA LAKE DEVELOPMENT AUTHORITY TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
240 (1995)	CREATING THE FISHERIES AND AQUATIC RESOURCES MANAGEMENT COUNCILS (FARMCs) IN BARANGAYS, CITIES, AND MUNICIPALITIES. THEIR COMPOSITION AND FUNCTIONS
305 (2004)	DEVOLVING TO MUNICIPAL AND CITY GOVERNMENTS THE REGISTRATION OF FISHING VESSELS THREE (3) GROSS TONNAGE BELOW

Marine Regulation and Enforcement

REPUBLIC ACTS	
No.	Title
10668	An Act Allowing Foreign Vessels to Transport and Co-Load Foreign Cargoes For Domestic Transshipment and For Other Purposes
10654	AN ACT TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING, AMENDING REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998" AND FOR OTHER PURPOSES
10629	An Act Providing for the Retention by the Protected Area Management Board of Seventy-Five Percent (75%) of the Revenues Accruing to the Integrated Protected Areas Fund (IPAF), Amending For The Purpose Section 16 of Republic Act No. 7586, Otherwise Known as The National Integrated Protected Areas System Act Of 1992

9339	AN ACT DECLARING A ONE-TIME AMNESTY ON CERTAIN TAX AND DUTY LIABILITIES, INCLUSIVE OF FEES, FINES, PENALTIES, INTEREST AND OTHER ADDITIONS THERETO, INCURRED BY CERTAIN BUSINESS ENTERPRISES OPERATING WITHIN THE SPECIAL ECONOMIC ZONES AND FREEPORTS CREATED UNDER PROCLAMATION NO. 163, SERIES OF 1993; PROCLAMATION NO. 216, SERIES OF 1993; PROCLAMATION NO. 120, SERIES OF 1994; AND PROCLAMATION NO. 984, SERIES OF 1997, PURSUANT TO SECTION 15 OF REPUBLIC ACT NO. 7227, AS AMENDED, AND FOR OTHER PURPOSES
9379	“The Handline Fishing Law” An Act Defining Handline Fishing, Providing Effective Regulations Therefor And For Other Purposes
9301	AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7471, ENTITLED “AN ACT TO PROMOTE THE DEVELOPMENT OF THE PHILIPPINE OVERSEAS SHIPPING” AND FOR OTHER PURPOSES
9295	AN ACT PROMOTING THE DEVELOPMENT OF PHILIPPINE DOMESTIC SHIPPING, SHIPBUILDING, SHIP REPAIR AND SHIP BREAKING, ORDAINING REFORMS IN GOVERNMENT POLICIES TOWARDS SHIPPING IN THE PHILIPPINES, AND FOR OTHER PURPOSES
9286	An act further amending Presidential Decree No. 198, otherwise known as “The Provincial Water Utilities Act of 1973”, as amended
8371	Indigenous Peoples Rights Act (IPRA)
7916	AN ACT PROVIDING FOR THE LEGAL FRAMEWORK AND MECHANISMS FOR THE CREATION, OPERATION, ADMINISTRATION AND COORDINATION OF SPECIAL ECONOMIC ZONES IN THE PHILIPPINES, CREATING FOR THIS PURPOSE, THE PHILIPPINE ECONOMIC ZONE AUTHORITY (PEZA), AND FOR OTHER PURPOSES.
7586	National Integrated Protected Areas System Act of 1992
7471	AN ACT TO PROMOTE THE DEVELOPMENT OF PHILIPPINE OVERSEAS SHIPPING
5173	AN ACT CREATING A PHILIPPINE COAST GUARD, PRESCRIBING ITS POWERS AND FUNCTIONS, APPROPRIATING THE NECESSARY FUNDS THEREFOR, AND FOR OTHER PURPOSES.
2695	AN ACT TO FURTHER AMEND ACT NUMBERED THIRTY-FIVE HUNDRED AND NINETY-TWO, KNOWN AS THE “PORTWORKS FUND ACT,” AS AMENDED BY COMMONWEALTH ACT NUMBERED ONE HUNDRED AND THIRTY AND REPUBLIC ACT NUMBERED TWELVE HUNDRED AND SIXTEEN, AND TO PROVIDE FOR THE DISBURSEMENT OF SAID FUND.
1535	AN ACT AMENDING SECTIONS ONE, TWO, THREE AND FOUR OF REPUBLIC ACT NUMBERED FOUR HUNDRED TWENTY-EIGHT, ENTITLED “AN ACT TO DECLARE ILLEGAL THE POSSESSION, SALE OR DISTRIBUTION OF FISH OR OTHER AQUATIC ANIMALS STUPEFIED, DISABLED OR KILLED BY MEANS OF DYNAMITE OR OTHER EXPLOSIVE OR TOXIC SUBSTANCES AND PROVIDING PENALTIES THEREFOR.”
1371	AN ACT TO DEFINE, CLASSIFY, FIX AND REGULATE THE AMOUNT OF ALL CHARGES AND FEES IN PHILIPPINE PORTS, OTHER THAN CUSTOMS DUTIES, INTERNAL REVENUE TAXES AND TONNAGE DUES.

PRESIDENTIAL DECREES

No.	Title.
474	PROVIDING FOR THE REORGANIZATION OF MARITIME FUNCTIONS IN THE PHILIPPINES, CREATING THE MARITIME INDUSTRY AUTHORITY, AND FOR OTHER PURPOSES.

505	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE COUNTRY, CREATING THE PHILIPPINE PORT AUTHORITY, PAVING THE WAY FOR THE ESTABLISHMENT OF INDIVIDUAL, AUTONOMOUS PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE DIFFERENT PORT DISTRICTS, AND FOR OTHER PURPOSES.
602	National Operation Center for Oil Pollution at the Philippine Coast Guard
664	AMENDING SECTION 12 OF REPUBLIC ACT NUMBERED 1407 AS AMENDED, OTHERWISE KNOWN AS "THE PHILIPPINE OVERSEAS SHIPPING ACT OF NINETEEN HUNDRED AND FIFTY-FIVE"
666	PROVIDING FOR INCENTIVES FOR THE SHIPBUILDING AND SHIP REPAIR INDUSTRY
667	PROVIDING FOR INCENTIVES TO THE SHIPPING INDUSTRY BY GRANTING ADDITIONAL DEDUCTIBLE ITEMS FOR INCOME TAX PURPOSES
667-A	PROVIDING FOR THE SUBSTITUTION OF PRESIDENTIAL DECREE NO.667 AND DIRECT INCENTIVES FOR THE DEVELOPMENT OF PHILIPPINE OVERSEAS SHIPPING
1711	FURTHER AMENDING PRESIDENTIAL DECREE NO. 760, AS AMENDED BY FURTHER ENCOURAGING THE CHARTERING OF ESPECIALIZED OCEAN-GOING VESSELS AND BY EXTENDING THE EFFECTIVITY OF THE DECREE UNTIL 1999.
1521	THE SHIP MORTGAGE DECREE OF 1978
1284	GRANTING AUTHORITY TO THE PHILIPPINE PORTS AUTHORITY TO PLAN, CONSTRUCT, DEVELOP AND MAINTAIN ALL PORT TERMINAL FACILITIES IN THE INTERNATIONAL PORT NORTH HARBOR, MANILA BAY, TO SUPERVISE THE OPERATION AND MANAGEMENT OF SUCH FACILITIES, AS AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 634, DATED 7TH OF JANUARY 1975, REPEALING PRESIDENTIAL DECREE NO.802 DATED 18TH SEPTEMBER 1975, AND FOR OTHER PURPOSES
1221	REQUIRING ALL PHILIPPINE - OWNED AND/OR REGISTERED VESSELS TO UNDERTAKE REPAIRS AND DRYDOCKING WITH MARINA-REGISTERED SHIP REPAIR YARDS
979	PROVIDING FOR THE REVISION OF PRESIDENTIAL DECREE NO. 600 GOVERNING MARINE POLLUTION
760	ALLOWING THE TEMPORARY REGISTRATION OF FOREIGN -OWNED VESSELS UNDER TIME CHARTER OR LEASE TO PHILIPPINE NATIONALS FOR USE IN THE PHILIPPINE COASTWISE TRADE SUBJECT TO CERTAIN CONDITIONS.
761	AMENDING SECTION EIGHT HUNDRED SIX OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, BY ALLOWING THE REGISTRATION OF VESSELS THE OWNERSHIP OF WHICH IS VESTED IN CORPORATIONS OR ASSOCIATIONS, AT LEAST SIXTY PERCENT OF THE CAPITAL STOCK OR CAPITAL OF WHICH BELONG TO CITIZENS OF THE PHILIPPINES AND FOR OTHER PURPOSES.
866	AMENDING PRESIDENTIAL DECREE NO. 760 BY REDUCING THE TERM OF THE LEASE OR CHARTER PERIOD TO NOT LESS THAN ONE YEAR, DELETING THE WORD "TIME" IN THE TITLE AND BODY OF THE DECREE, AND ALLOWING OVERSEAS USE IN CERTAIN CASES
857	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE PHILIPPINES, REVISING PRESIDENTIAL DECREE NO. 505 DATED JULY 11, 1974, CREATING THE PHILIPPINE PORT AUTHORITY, BY SUBSTITUTION, AND FOR OTHER PURPOSES.

Marine Development and Conservation

REPUBLIC ACTS	
No.	Title

1606	AN ACT TO PROMOTE SCIENTIFIC, ENGINEERING AND TECHNOLOGICAL RESEARCH, INVENTION AND DEVELOPMENT.
1535	AN ACT AMENDING SECTIONS ONE, TWO, THREE AND FOUR OF REPUBLIC ACT NUMBERED FOUR HUNDRED TWENTY-EIGHT, ENTITLED "AN ACT TO DECLARE ILLEGAL THE POSSESSION, SALE OR DISTRIBUTION OF FISH OR OTHER AQUATIC ANIMALS STUPEFIED, DISABLED OR KILLED BY MEANS OF DYNAMITE OR OTHER EXPLOSIVE OR TOXIC SUBSTANCES AND PROVIDING PENALTIES THEREFOR."
3512	AN ACT CREATING A FISHERIES COMMISSION DEFINING ITS POWERS, DUTIES AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR.
3680	An Act Converting The Present Philippine Nautical School Into The Philippine Merchant Marine Academy, Conferring The Degrees of Bachelor of Science In Marine Transportation, Major In Navigation and Seamanship, and Bachelor of Science In Marine Transportation, Major In Steam Engine and Electrical Engineering, Providing For A Merchant Marine Academy Board, Defining The Board's Responsibilities and Duties, and For Other Purposes.
7471	AN ACT TO PROMOTE THE DEVELOPMENT OF PHILIPPINE OVERSEAS SHIPPING
7586	National Integrated Protected Areas System Act of 1992
7942	AN ACT INSTITUTING A NEW SYSTEM OF MINERAL RESOURCES EXPLORATION, DEVELOPMENT, UTILIZATION AND CONSERVATION
8435	AN ACT PRESCRIBING URGENT RELATED MEASURES TO MODERNIZE THE AGRICULTURE AND FISHERIES SECTORS OF THE COUNTRY IN ORDER TO ENHANCE THEIR PROFITABILITY, AND PREPARE SAID SECTORS FOR THE CHALLENGES OF GLOBALIZATION THROUGH AN ADEQUATE, FOCUSED AND RATIONAL DELIVERY OF NECESSARY SUPPORT SERVICES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES
8544	AN ACT REGULATING THE PRACTICE OF THE MERCHANT MARINE PROFESSION IN THE PHILIPPINES
8550	PHILIPPINE FISHERIES CODE OF 1998
8991	AN ACT TO ESTABLISH THE BATANES GROUP OF ISLANDS AND ISLETS AS A PROTECTED AREA, AND ITS PERIPHERAL WATERS AS BUFFER ZONES, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES
9106	AN ACT FOR THE ESTABLISHMENT AND MANAGEMENT OF SAGAY MARINE RESERVE, DEFINING ITS SCOPE COVERAGE, AND FOR OTHER PURPOSES
9275	AN ACT PROVIDING FOR A COMPREHENSIVE WATER QUALITY MANAGEMENT AND FOR OTHER PURPOSES
9281	An Act to Strengthen Agriculture and Fisheries Modernization in the Philippines by Extending the Effectivity of Tax Incentives and its Mandated Funding Support, Amending for this Purpose Sections 109 and 112 of REPUBLIC ACT NO. 8435
9295	AN ACT PROMOTING THE DEVELOPMENT OF PHILIPPINE DOMESTIC SHIPPING, SHIPBUILDING, SHIP REPAIR AND SHIP BREAKING, ORDAINING REFORMS IN GOVERNMENT POLICIES TOWARDS SHIPPING IN THE PHILIPPINES, AND FOR OTHER PURPOSES
9147	Wildlife Resources Conservation and Protection Act
9379	"The Handline Fishing Law" An Act Defining Handline Fishing, Providing Effective Regulations Therefor And For Other Purposes
9471	AN ACT TO ESTABLISH AQUATIC RESEARCH AND TECHNOLOGY CENTER IN SUITABLE MUNICIPALITY IN THE PROVINCE OF CAMARINES SUR, AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES
9483	Oil Pollution Compensation Act of 2008

9512	AN ACT TO PROMOTE ENVIRONMENTAL AWARENESS THROUGH ENVIRONMENTAL EDUCATION AND FOR OTHER PURPOSES
9513	“Renewable Energy Act of 2008” An Act promoting the Development, Utilization and Commercialization of Renewable Energy Resources and for other purposes
10067	AN ACT ESTABLISHING THE TUBBATAHA REEFS NATURAL PARK IN THE PROVINCE OF PALAWAN AS A PROTECTED AREA UNDER THE NIPAS ACT (RA 7586) AND THE STRATEGIC ENVIRONMENTAL PLAN (SEP) FOR PALAWAN ACT (RA 7611), PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES
10121	“Philippine Disaster Risk Reduction and Management Act of 2010” An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for the National Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan, Appropriating Funds Therefor and for other Purposes.
10587	An Act Regulating the Practice of Environmental Planning, Repealing for the Purpose Presidential Decree Numbered One Thousand Three Hundred and Eight, Entitled “Law Regulating the Environmental Planning Profession in the Philippines”, and for Other Purposes
10601	An Act Promoting Agricultural and Fisheries Mechanization Development in the Country
10664	AN ACT TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING, AMENDING REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS “THE PHILIPPINE FISHERIES CODE OF 1998,” AND FOR OTHER PURPOSES

PRESIDENTIAL DECREES

No.	Title
214	FURTHER AMENDING THE PHILIPPINE OVERSEAS SHIPPING ACT OF 1955
664	AMENDING SECTION 12 OF REPUBLIC ACT NUMBERED 1407 AS AMENDED, OTHERWISE KNOWN AS “THE PHILIPPINE OVERSEAS SHIPPING ACT OF NINETEEN HUNDRED AND FIFTY-FIVE”
666	PROVIDING FOR INCENTIVES FOR THE SHIPBUILDING AND SHIP REPAIR INDUSTRY
667	PROVIDING FOR INCENTIVES TO THE SHIPPING INDUSTRY BY GRANTING ADDITIONAL DEDUCTIBLE ITEMS FOR INCOME TAX PURPOSES
667-A	PROVIDING FOR THE SUBSTITUTION OF PRESIDENTIAL DECREE NO.667 AND DIRECT INCENTIVES FOR THE DEVELOPMENT OF PHILIPPINE OVERSEAS SHIPPING
1711	FURTHER AMENDING PRESIDENTIAL DECREE NO. 760, AS AMENDED BY FURTHER ENCOURAGING THE CHARTERING OF ESPECIALIZED OCEAN-GOING VESSELS AND BY EXTENDING THE EFFECTIVITY OF THE DECREE UNTIL 1999.
979	Marine Pollution Decree of 1976
602	National Operation Center for Oil Pollution at the Philippine Coast Guard
705	Forestry Code
704	Revising and consolidating all laws and decrees affecting fishing and fisheries
1694	ORGANIZATION AND ADMINISTRATION OF THE WELFARE FOR OVERSEAS WORKERS
1521	THE SHIP MORTGAGE DECREE OF 1978
1284	GRANTING AUTHORITY TO THE PHILIPPINE PORTS AUTHORITY TO PLAN, CONSTRUCT, DEVELOP AND MAINTAIN ALL PORT TERMINAL FACILITIES IN THE INTERNATIONAL PORT NORTH HARBOR, MANILA BAY, TO SUPERVISE THE OPERATION AND MANAGEMENT OF SUCH FACILITIES, AS AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 634, DATED 7TH OF JANUARY 1975, REPEALING PRESIDENTIAL DECREE NO.802 DATED 18TH SEPTEMBER 1975, AND FOR OTHER PURPOSES
1067	Water Code

979	PROVIDING FOR THE REVISION OF PRESIDENTIAL DECREE NO. 600 GOVERNING MARINE POLLUTION
-----	--

EXECUTIVE ORDERS

No.	Title
542 (1979)	Creating the Task Force Pawikan and Appropriating Funds Therefor
927 (1983)	FURTHER DEFINING CERTAIN FUNCTIONS AND POWERS OF THE LAGUNA LAKE DEVELOPMENT AUTHORITY
247 (1995)	PRESCRIBING GUIDELINES FOR THE PROSPECTING OF BIOLOGICAL AND GENETIC RESOURCES
578	ESTABLISHING THE NATIONAL POLICY ON BIOLOGICAL DIVERSITY, PRESCRIBING ITS IMPLEMENTATION THROUGHOUT THE COUNTRY, PARTICULARLY IN THE SULU SULAWESI MARINE ECOSYSTEM AND THE VERDE ISLAND PASSAGE MARINE CORRIDOR
57	ESTABLISHING A NATIONAL COAST WATCH SYSTEM, PROVIDING FOR ITS STRUCTURE AND DEFINING THE ROLES AND RESPONSIBILITIES OF MEMBER AGENCIES IN PROVIDING COORDINATED INTER-AGENCY MARITIME SECURITY OPERATIONS AND FOR OTHER PURPOSES

Marine Security

REPUBLIC ACTS

No.	Title
521	Carriage of Goods by Sea Act
2695	AN ACT TO FURTHER AMEND ACT NUMBERED THIRTY-FIVE HUNDRED AND NINETY-TWO, KNOWN AS THE "PORTWORKS FUND ACT," AS AMENDED BY COMMONWEALTH ACT NUMBERED ONE HUNDRED AND THIRTY AND REPUBLIC ACT NUMBERED TWELVE HUNDRED AND SIXTEEN, AND TO PROVIDE FOR THE DISBURSEMENT OF SAID FUND.
5713	AN ACT CREATING A PHILIPPINE COAST GUARD, PRESCRIBING ITS POWERS AND FUNCTIONS, APPROPRIATING THE NECESSARY FUNDS THEREFOR, AND FOR OTHER PURPOSES.
6542	AN ACT MAKING THE MUNICIPALITY OF MASINLOC, PROVINCE OF ZAMBALES, A PORT OF ENTRY, BY AMENDING SECTION SEVEN HUNDRED ONE OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED.
7471	AN ACT TO PROMOTE THE DEVELOPMENT OF PHILIPPINE OVERSEAS SHIPPING
9301	AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7471, ENTITLED "AN ACT TO PROMOTE THE DEVELOPMENT OF THE PHILIPPINE OVERSEAS SHIPPING" AND FOR OTHER PURPOSES
9400	AN ACT AMENDING REPUBLIC ACT NO. 7227, AS AMENDED, OTHERWISE KNOWN AS THE BASES CONVERSION AND DEVELOPMENT ACT OF 1992, AND FOR OTHER PURPOSES
9993	Philippine Coast Guard Law of 2009
10635	AN ACT ESTABLISHING THE MARITIME INDUSTRY AUTHORITY (MARINA) AS THE SINGLE MARITIME ADMINISTRATION RESPONSIBLE FOR THE IMPLEMENTATION AND ENFORCEMENT OF THE 1978 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, AS AMENDED, AND INTERNATIONAL AGREEMENTS OR COVENANTS RELATED THERETO
10668	An Act Allowing Foreign Vessels to Transport and Co-Load Foreign Cargoes For Domestic Transshipment and For Other Purposes

PRESIDENTIAL DECREES	
No.	Title
474	PROVIDING FOR THE REORGANIZATION OF MARITIME FUNCTIONS IN THE PHILIPPINES, CREATING THE MARITIME INDUSTRY AUTHORITY, AND FOR OTHER PURPOSES.
505	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE COUNTRY, CREATING THE PHILIPPINE PORT AUTHORITY, PAVING THE WAY FOR THE ESTABLISHMENT OF INDIVIDUAL, AUTONOMOUS PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE PORT/ INDUSTRIAL ZONE AUTHORITIES IN THE DIFFERENT PORT DISTRICTS, AND FOR OTHER PURPOSES.
602	National Operation Center for Oil Pollution at the Philippine Coast Guard
1711	FURTHER AMENDING PRESIDENTIAL DECREE NO. 760, AS AMENDED BY FURTHER ENCOURAGING THE CHARTERING OF ESPECIALIZED OCEAN-GOING VESSELS AND BY EXTENDING THE EFFECTIVITY OF THE DECREE UNTIL 1999.
1284	GRANTING AUTHORITY TO THE PHILIPPINE PORTS AUTHORITY TO PLAN, CONSTRUCT, DEVELOP AND MAINTAIN ALL PORT TERMINAL FACILITIES IN THE INTERNATIONAL PORT NORTH HARBOR, MANILA BAY, TO SUPERVISE THE OPERATION AND MANAGEMENT OF SUCH FACILITIES, AS AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 634, DATED 7TH OF JANUARY 1975, REPEALING PRESIDENTIAL DECREE NO.802 DATED 18TH SEPTEMBER 1975, AND FOR OTHER PURPOSES
760	ALLOWING THE TEMPORARY REGISTRATION OF FOREIGN -OWNED VESSELS UNDER TIME CHARTER OR LEASE TO PHILIPPINE NATIONALS FOR USE IN THE PHILIPPINE COASTWISE TRADE SUBJECT TO CERTAIN CONDITIONS.
761	AMENDING SECTION EIGHT HUNDRED SIX OF THE TARIFF AND CUSTOMS CODE OF THE PHILIPPINES, AS AMENDED, BY ALLOWING THE REGISTRATION OF VESSELS THE OWNERSHIP OF WHICH IS VESTED IN CORPORATIONS OR ASSOCIATIONS, AT LEAST SIXTY PERCENT OF THE CAPITAL STOCK OR CAPITAL OF WHICH BELONG TO CITIZENS OF THE PHILIPPINES AND FOR OTHER PURPOSES.
866	AMENDING PRESIDENTIAL DECREE NO. 760 BY REDUCING THE TERM OF THE LEASE OR CHARTER PERIOD TO NOT LESS THAN ONE YEAR, DELETING THE WORD "TIME" IN THE TITLE AND BODY OF THE DECREE, AND ALLOWING OVERSEAS USE IN CERTAIN CASES
857	PROVIDING FOR THE REORGANIZATION OF PORT ADMINISTRATION AND OPERATION FUNCTIONS IN THE PHILIPPINES, REVISING PRESIDENTIAL DECREE NO. 505 DATED JULY 11, 1974, CREATING THE PHILIPPINE PORT AUTHORITY, BY SUBSTITUTION, AND FOR OTHER PURPOSES.

Administrative Orders

ADMINISTRATIVE ORDER	COVERS
DAO 55 (1991) DENR	Dugong
DAO 15 (2004) DENR	Hawksbill and other turtles
FAO 185 (1992) BFAR	All dolphins
FAO 185-1 (1997) BFAR	Amendment of FAO 185 (1992), by adding whales
FAO-193 (1998) BFAR	Whale sharks and manta ray
FAO-208 (2001) BFAR	Rare, threatened, and endangered species
FAO-233 (2010) BFAR	Aquatic wildlife conservation
FAO-233-1 (2011) BFAR	Amendment of FAO 233 (2011)

Joint AO 1 (2005) BFAR-DOT	Guidelines for cetacean interaction; whale watching
AO 282 (2010) Malacanang	Enhancement of whale shark protection

Appendix 9

Palawan: A Case Study on Marine Environmental Management UP Center for Integrative and Development Studies

Abstract

Situated at the cusp of the West Philippine Sea and Sulu Sea is the island-province of Palawan, endowed with rich natural resources both in land and in marine environments. Lush forests and pristine waters compose its environment. In the midst of its arising fame, progress and development, Palawan, through the Palawan Council for Sustainable Development (PCSD), works its way to balance protection and conservation of its natural resources towards sustainable development. A valuable message of the PCSD is its effort to bring in all sectors (national government, local government, academe, non-governmental organizations, tribal sectors, and the military) in a shared mission and interest to make the development of Palawan sustainable. Institutionalization of sustainable development is supported by both statutory interventions, legal mechanisms, and meaningful participation of diverse sectors.

Introduction

Traveling sites and blogs say that nothing describes Palawan better than the waters that surround the province. Straddling the Sulu Sea in the east and southeast and the West Philippine Sea in the west (7047'-12022' N and 117000' and 119051' E), Palawan is the largest province of the country with a land area of 1.5 million hectares composed of 1,768 islands and 23 municipalities. Composed of the Calamianes Group of Islands (Busuanga Island, Coron Island and Culion Island) in the northeasternmost, Durangan Island (and also Spratly Islands) in the westernmost, and Cuyo in the easternmost in Sulu Sea and Balabac Island in the southernmost. Its main island is a narrow strip of land 625 km long and 40 km wide at its widest. Its capital city, Puerto Princesa, is located in the middle of the province. It has a unique geography attributed to its unique geology, with its northeast land area derived from the southeast edge of the continental crust of China and its southwest land area derived from the uplifted oceanic crust and mantle (known as ophiolites).

As Palawan is an archipelago of islands and islets (island-province) within an archipelagic country (Cabrestante 2015), it can be a microcosm as to how the government can balance progress and development with protection and

conservation of natural resources for sustainable development. Provinces of the country aim for progressive economic development. However, as these pursue and move toward this goal, there is the possibility of putting the terrestrial, coastal, and marine environments of the province in jeopardy.

In the midst of attracting and accommodating businessmen and investors for economic development, the natural condition of terrestrial, coastal, and marine environments is at stake. Palawan, through the PCSD, is able to promote development, conservation, management, protection, and utilization of natural environment and resources both for the present and future generations. In the midst of utilization and development, it is able to conserve, manage, and protect the environment and resources.

This case study is done as part of the National Marine Policy Review Project. It aims to (1) present how Palawan implements conservation, management, and protection, especially in its marine environment, through PCSD and with participation of other sectors, as it continues to progress and develop, and (2) determine if PCSD could be recommended to other provinces of the country. However, it must not be neglected that the strategic location, biological diversity, and natural resources of Palawan are unique and are different from other provinces, thus issues must be treated differently (Meñez 2016 interview). Development in every aspect must be site- and province-specific, and the strategic and competitive advantages of every province must be understood. Moreover, issues faced by the province of Palawan may be different from issues faced by other provinces.

Marine resources and economy

Considered as the Philippine's last ecological frontier, Palawan has highly rich and diverse flora and fauna both in land and sea (Cabrestante 2015), and, as more studies are conducted, more information is being revealed. Palawan has the highest mangrove assemblage, making up to 42 percent of the total remaining mangroves of the country (Palawan Council for Sustainable Development 2010). Out of the 28 total true mangroves (under 19 families) recorded in the Philippines, 31 mangroves species are found in the province (United Nations Educational, Scientific and Cultural Organization 2013), which is eight species (under 11 families) more than what was reported by Ong and colleagues in 2010. Out of the 16 identified sea grass species recorded in the Philippines, 13 species are found in the province (Palawan Council for Sustainable Development 2015b), which is three species more than what was reported in 2010. There are also almost 200 seaweed species identified in the province (Sariego n.d.; Liao, Belleza, and Geraldino 2013; Santiañez Sariego, and Trono 2015). Out of the 430 species of coral fauna in the country, more than 50 percent (379 species) are found in Palawan (Palawan Council for Sustainable Development 2015b). About

20 species of whales and dolphins (cetaceans), one species of sea cow (sirenians), and five species of sea turtles are also found in the province (Aquino 2009).

With that, its economy is dependent on its natural environment and resources. The agriculture, fishery, and forestry sectors are the major sources of employment as compared to the industry and service sectors, even if there was a 9 percent decrease, from 67 percent to 58 percent, in 2002 and 2011 (Palawan Council for Sustainable Development 2015b). Among marine-based livelihoods are fishery and live-reef-fish-for-food production, seaweed farming, pearl culture and farming, offshore oil exploration, and tourism.

About 65 percent of Manila's fish consumption is provided by the fishing grounds of Palawan (Bureau of Agricultural Statistics 2012). It has been the primary source of live-reef-fish-for food (LRFF) trade, providing 26 percent to 32 percent of the country's grouper production in 2003-2014, with the highest volume recorded in 2008 (Palawan Council for Sustainable Development 2015b). There are also live marine ornamental exports of live corals, fish, and other reef-associated organisms for marine aquaria, largely to the U.S. (Pomeroy and Douvere 2008). It is the country's top seaweed producer, with a highest record in 2011 at 477.753 metric tons (Bureau of Agricultural Statistics 2012). Eleven pearl farm companies which culture south sea pearl (from *pinctada maxima*) operate in the northern municipal waters (Palawan Council for Sustainable Development 2015b).

The Shell Philippines BV Exploration's Malampaya Natural Gas Project in Malampaya Sound, Taytay produces 380 million standard cubic feet of natural gas (~380 mmscf per day) and a substantial amount of ~15 kb per day condensate from the Malampaya Gas Field, with estimated total of 3.7 trillion cubic feet of natural gas and 85 million barrels of condensate. There are also the Galoc, Nido, and Matinloc Oil Fields. It has also gained revenues as there is 50-fold increase (14,264 to 832,595) of tourists in the province who usually visit the Puerto Princesa Subterranean River National Park and the Tubbataha Reefs Natural Park (Provincial Planning and Development Office 2012). Consequently, a number of tourist lodging inns also increased (Provincial Planning and Development Office 2012). Not to mention its land-based livelihood are the cashew production, palm oil and rubber plantation and mining and mineral development.

Republic Act 7611 and sustainable governance

Since 1979, Palawan has attempted to protect its environment. Through the first phase project of the Palawan Integrated Area Development Project Office (PIADPO), the Integrated Environmental Plan (IEP) was intended to formulate and implement an ecologically sound development strategy towards sustainable development of the province. From then on, the local government has worked towards the goal of sustainable development until in 1988 when the Strategic

Environmental Plan was completed and presented to the Speaker of the House of Representatives Ramon V. Mitra Jr. and Cong. David A. Ponce de Leon, the two Congressmen of Palawan, and later on to the Senate for review. It became the House Bill No. 10945 and the Senate Bill No. 19576. In June 19, 1992, President Corazon Aquino signed Republic Act 7611 known as the Strategic Environmental Plan for Palawan (SEP) Act.

“To improve the living conditions of the people of Palawan and to increase the economic contribution that Palawan can make to the Republic of the Philippines by developing its resources and land and water in ways that are environmentally sustainable, socially equitable and economically practicable” is the main objective of the Strategic Environmental Plan (SEP).

The Palawan Council for Sustainable Development (PCSD) is the multisectoral and interdisciplinary body which, under the law, is charged with the governance, implementation, and policy direction of the SEP. Its staff is mandated to provide machinery to coordinate the policy and functions, to implement programs, and to organize services required by the Council. The establishment of an Environmentally Critical Areas Network (ECAN), greater use of Environmental Impact Assessment (EIA), positive development planning, bringing harmful practices under control, development of underused agricultural lands in plains and low hills, and fostering the use and care of common resources by local communities are among the strategies of SEP.

The balance between development and conservation is realized through the ECAN wherein there is a graded system of control, management, and utilization of the province’s natural resources represented through maps, which ensures that most critical areas are protected and development areas are properly utilized and enhanced (Palawan Council for Sustainable Development 2015a).

As PCSD envisions to be a united, committed, and competent partner in development through holistic integration of environmental protection with relevant land use planning and rational use of Palawan’s natural resources using the Strategic Environmental Plan (SEP) Framework in order to improve the quality of life in Palawan, it is headed by a chairman, a vice chairman and executive director of the PCSD, a secretary, and its members. The chairman is elected from among the members of the Council once every three years and is currently the governor of Palawan. Among its current members are:

1. Congressmen of the two districts of Palawan
2. Governor of Palawan
3. Deputy General of National Economic and Development Authority
4. Undersecretaries of DENR and DA
5. Mayor of Puerto Princesa City
6. President of League of Municipalities of Palawan
7. President of Liga ng mga Barangay

8. Representatives from the Office of the President
9. Palawan Provincial Board
10. Non-Government Organizations
11. Military
12. Business
13. Tribal sectors
14. Philippine National Police-Provincial Command

However, there are variations in the composition of the members depending on the prevalent issues and concerns faced for a particular year (Palawan Council for Sustainable Development 2015a).

Ideally, the structure of the council enables interoperability towards the sustainable development goal of the province. It involves the national government, the local government of the province, the city and municipalities, government agencies, non-government organizations, and other sectors.

The five divisions of the PCSD are:

1. ECAN Policy Research and Planning Division
2. ECAN Monitoring and Evaluation Division
3. ECAN Zones Management and Enforcement Division
4. ECAN Education and Extension Division
5. Finance and Finance Division execute their functions toward the goal

As mandated, the PCSD also assesses and provides clearances and permits, such as: (1) SEP clearance for proposed projects; (2) wildlife special use permit and reef-fish-for-food permit; (3) live reef fish accreditation ensures sustainability of live reef fish for food industry (LRFFI); (4) chainsaw registration and permits; and (5) research accreditation before any project or activity can be conducted to ensure regulation.

Through the Palawan Knowledge Platform Biodiversity and Sustainable Development (PKP) organized by the PCSD together with the Asean Centre for Biodiversity (ACB), baseline data for the province, both in land and marine ecosystems, are managed and communicated to leaders, policy makers, stakeholders, and the local people of Palawan (Palawan Council for Sustainable Development 2015b). It provides a venue for sharing researches, studies, projects reports/updates, and other information about Palawan and its resources (Palawan Council for Sustainable Development 2015b).

Data and researches are available online on the PCSD website. As data are shared, partnerships among government, non-governmental organizations, and academic institutions of Palawan, together with the provincial government; city government of Puerto Princesa; academic institutions including the Palawan State University, Western Philippines University, and Holy Trinity University;

national government agencies operating in Palawan (DENR, DAR, DA-BFAR); the Tubbataha Reefs Natural Park; non-governmental organizations such as the Palawan NGO Network Inc., Conservation International, World Wide Fund for Nature-Philippines (WWF Philippines), Katala Foundation, and Centre for Sustainability, are strengthened (Palawan Council for Sustainable Development 2015b). The academe, NGOs, and research institutions provide baseline data and necessary knowledge for evidence-based decisions.

PCSD also works with the Biodiversity Management Bureau (BMB) of the Department of the Environment and Natural Resources (DENR) to mitigate threats in the coastal-marine ecosystem, and conserve, manage, and protect NIPAS sites as 20 percent of the total land area of Palawan (nine protected areas) is declared as protected areas as mandated by the National Integrated Protected Areas System (NIPAS) Act or Republic Act 7586 in January 10, 2013 (Palawan Council for Sustainable Development 2015b). These protected areas are governed by a Protected Area Management Board composed of the DENR as chair, the PCSD as co-chair, and members composed of a) the LGU (the mayor, the Sangguniang Barangay chair of the Committee on Environment, MPDC, MENRO, and ABC President); b) civil society (NGOs, People's Organization, Municipal Fisheries and Aquatic Resources Council); c) national government agencies; and d) the barangay captains of all barangay of the protected area. Thus, implementation of protected areas becomes the responsibility not only of the government but also of civil society.

PCSD has been moving towards the goal of sustainable development but faces the challenge of regulating and enforcing laws and policies over the province. In fact, its mandate still excludes the Kalayaan Island Group (KIG) which is under provincial jurisdiction, even if its protection and conservation needs national focus and intervention (Meñez 2016 interview).

Despite these difficulties, the PCSD, government agencies, and other sectors are empowered and participate in governance (Alino 2016 interview; Meñez 2016 interview). In this respect, the PCSD can be a model for other provinces.

More convergence and synergies toward development should be practiced as there is more to do for Palawan (Gomez 2016 interview). Competence and capacity must still be enhanced among the staff and enforcers. Decentralization is a disadvantage as there is weakening in implementation (Meñez 2016 interview). Otherwise, alliances must be developed.

Conflict in jurisdiction is also evident as in the management of the El Nido Managed Resource Protected Area as it is under Republic Act 7160 (Local Government Code of 1991), Republic Act 7611 (Strategic Environmental Plan for Palawan Act, creator of the PCSD), Republic Act 7586 (National Integrated Protected Areas System Act of 1992) and the Republic Act 8550 (The Philippine Fisheries Code). Different scales of applicability may lead to conflict. Thus, there is a need for integration.

Transferability and sustainability

One lesson other local government units can learn from Palawan is the institutionalization of sustainable development as the main framework in which governance is anchored. Passing a statute is one of the most concrete steps in institutionalization of marine governance structure, such as the PCSD.

Among the challenges that can be faced when institutionalizing actions, such as a strategic environmental plan for a province, is backing up the plan with necessary evidence and studies. Research is the backbone of a holistic, integrative, and sustainable development plan for an area, and here the academe and civil society can provide the necessary data and guidance. A multidisciplinary approach is always recommended, making sure that the conflicting values and interests of tourism, industrialization, food security, and environmental protection and conservation are being managed to the optimum level.

The presence of champions and advocates in government who will rally behind sustainable planning is also necessary, as well as the encouragement and support of civil society. Civil society's critical stance is at the same time important in providing the necessary check and balance for every government action.

References

- Alave, Kristine L. 2012. "UN Approves PH Territorial Claim to Benham Rise." *Philippine Daily Inquirer*.
- Aquino, T. 2009. "Field Guide to Marine Mammal and Sea Turtles in Palawan, Philippines." Tubbataha Management Office and the Sulu-Sulawesi Seascape Initiative, Conservation International, Quezon City.
- Bureau of Agricultural Statistics. 2012. www.bas.gov.ph.
- Cabrestante, M. P. 2015. "Enhancing the Environmental Monitoring and Evaluation System of Palawan Biosphere Reserve, Philippines." *Our Palawan* 1(1):37-47.
- Liao, Lawrence M., Dominic Franco C. Belleza, and Paul John L. Geraldino. 2013. "Marine Algae of the Sulu Sea Islands, Philippines II: Annotated List of the Brown Seaweeds (Phaeophyceae) from the Cuyo Islands." *Phytotaxa* 152(1):1-17.
- Palawan Council for Sustainable Development. 2000. "Palawan Asset Accounts: Fishery, Forest, Land/Soil, Mineral and Water Resources" Palawan, Philippines.
- . 2010. *State of the Environment 2009 Updates, Province of Palawan, Philippines*. Puerto Princesa City: Palawan Council for Sustainable

Development.

- . 2015a. "Citizen's Charter." A Guidebook on Government Services.
- . 2015b. State of the Environment 2015 Updates, Province of Palawan (UNESCO Man and Biosphere Reserve), Philippines. Puerto Princesa City: Palawan Council for Sustainable Development.
- Pomeroy, Robert and Fanny Douvere. 2008. "The engagement of stakeholders in the marine spatial planning process." *Marine Policy* 32(5):816-22.
- Provincial Planning and Development Office. 2012. "Community-Based Management System."
- Santiañez, Wilfred John E., Ria S. Sariago, and Gavino C. Trono, Jr. 2015. "The Seaweed Flora of the Balabac Marine Biodiversity Conservation Corridor (BMBC), Southern Palawan, Western Philippines." *Plant Ecology and Evolution* 148(2):267-82.
- United Nations Educational, Scientific and Cultural Organization. 2014. "Report on Understanding Palawan as a UNESCO Biosphere Reserve." Manila Observatory Report to the UNESCO Science and Technology Commission.

Interviews

- Porfirio Aliño, January 27, 2016.
- Edgardo Gomez, January 27, 2016.
- Gil Jacinto, January 27, 2016.
- Marie Antonette Juinio-Meñez, January 27, 2016.

Appendix 10

Proposed Institutional Arrangement for Ocean and Marine Governance

Issue

Institutional Fragmentation. The approach in the management of ocean and marine resources in the country is sectoral as reflected in the institutional and administrative jurisdictions of current government agencies with ocean/marine-related mandates (e.g., Bureau of Fisheries and Aquatic Resources for fisheries, Department of Energy for ocean energy, Maritime Industry Authority and Philippine Ports Authority for marine transportation, Philippine National Police-Maritime Police Command and Philippine Coast Guard for marine/maritime security, etc.). There are more than thirty agencies that are involved in marine governance. This is made more complicated by overlapping administrative jurisdictions as a result of unclear decentralization and devolution of powers to local government units. This institutional fragmentation affects the overall performance on implementing actions addressing the country's emerging marine/maritime concerns.

Goal

To establish a high-level integrated, and strengthened decision-making and implementation mechanism within the context of a decentralized system of governance to provide an institutional focus for the leadership and management of the multiple uses of ocean and marine resources.

Objectives

- Reduced (if not absolutely eliminated) substantial duplication and overlap in functions of marine-related government agencies
- Established a clear framework for the conservation and development of marine environment, balancing the need to increase marine life production and the need to conserve biodiversity towards sustainable oceans and marine resources management
- Strengthened inter-agency database and information-sharing system for intrasectoral and intersectoral integration of policies, plans, and programs, and for monitoring and evaluation
- Harmonized and orchestrated planning and implementation at all levels of management
- Harnessed broad involvement of key stakeholders, both high level and grassroots, including state universities and colleges

Strategy

Rationalize and streamline the functions and responsibilities of government agencies with ocean-/marine-related mandates through the creation of an institutional leader in marine resources management and development.

Principles

Regardless of the option that will be selected as an administrative arrangement for marine and ocean governance, such administrative arrangement shall be guided, at the minimum, by the following principles:

1. The administrative arrangement shall provide for an integrative and comprehensive approach to addressing marine environment as well as socioeconomic issues to promote the optimum and sustainable utilization of marine and ocean resources. To this end, a national framework for ocean and marine resources shall be prepared.
2. The administrative arrangement shall be provided with adequate wherewithal—financial, logistical, and personnel—to carry out the coordinated and integrated approach in the formulation and implementation of marine policies, plans, and programs.
3. There shall be competency and capacity building through the establishment of professional multidisciplinary academic institution shall be a necessary component of the proposed administrative arrangement for ocean and marine governance.
4. Provision of sustainable financing through the establishment of long-term funds, credit, and other financing schemes.
5. A research and development arm shall be established regardless of the type of administrative arrangement for ocean and marine affairs.
6. Emphasize the institutionalization of collaborative and shared responsibility recognizing the role of local government units that are with the advantage of having close proximity to the resources and the community. The local government units shall develop the resources in their respective municipal waters.
7. There shall be effective people's participation mechanisms and equitable sharing of resources in the sustainable development of marine and ocean resources.
8. The proposed administrative structure shall cover the areas of development and conservation, regulation and enforcement, and marine security. As such, the administrative structure has to have a close administrative relationship (either through attachment or administrative supervision)

with the agency of the government, with functions that is integrative in nature.

9. The area of politics and jurisdiction, which primarily concerns national territory, shall be retained by the Department of Foreign Affairs. The Secretary of Foreign Affairs shall, however, participates as a member of the collegial body to be created.

Short-Term

The short-term plans for the administrative arrangements include those that could be implemented even without legislative enactments. These are measures that have to be implemented while the Congress is working on the passage of a law that will create an institutional leader for ocean/marine governance. The following interventions must be implemented at the earliest possible opportunity:

1. Jointly formulate policies clarifying agency mandates advocated and promulgated by concerned agencies and institutions. These may take the form of the promulgation and issuance of joint administrative orders, which has been the practice to increase collaboration between and among government agencies with similar mandates. In particular, convergence among DA, DENR, and DOST is needed to ensure a clear policy guideline balancing food security and environmental concerns.
2. Issue an executive order that will modify the National Economic and Development Authority (NEDA) Board Interagency Committees to include a committee on Marine and Ocean Affairs. This will ensure that marine and ocean related concerns are integrated in the national and subnational level plans.
3. Similarly, the LEDAC must also have a sub-committee on marine and ocean affairs. This will ensure that the institutional restructuring initiatives are done within the context of a broad, comprehensive, and holistic reform in the governance of ocean and marine environment.
4. The Supreme Court may designate select trial courts as Maritime Courts that will have jurisdiction over all cases arising out of act of maritime commerce, transportation, and traffic occurring in Philippine waters. In addition, the Supreme Court shall promulgate rules and procedures for marine cases to enhance the mechanisms for the settling of maritime controversies.

Medium to Long Term

The medium/long-term institutional intervention for ocean and marine governance shall necessitate a Congressional enactment. The following

administrative arrangement options for the ocean and marine governance shall be established through an act of Congress:

1. Option A: Strengthening and broadening the institutional base of the current National Coast Watch System through the creation of the National Ocean and Marine System
2. Option B: Creation of the Commission for Ocean and Marine Affairs
3. Option C: Creation of the Department of Marine Affairs

Option A: Strengthening and Broadening the Institutional Base of the Current National Coast Watch System through the Creation of the National Ocean and Marine Council

To truly reflect the more comprehensive and encompassing nature of marine governance, the current National Coast Watch System shall be transformed into the National Ocean and Marine System. The National Ocean and Marine System shall be under the Office of the President, with the Executive Secretary as Chair. Considering the transformation in the organizational structure of the current National Coast Watch System, this would require Congressional legislation. Congressional legislation strengthens the institutional base of the proposed National Ocean and Marine System as this would now have a statutory mandate.

The current composition of the National Coast Watch Council (NCWC) shall be broadened and strengthened and shall be renamed as the National Ocean and Marine Council. In addition to the current composition of the NCWC,¹ the following shall comprise the members of the National Ocean and Marine Council:

- Director General of the National Economic and Development Authority (replacing the Executive Secretary who acts as the chairperson of the current National Coast Watch Council).
- Executive Director of the proposed National Ocean and Marine Management Office (as co-chair)
- Secretary of Finance
- Secretary of Education
- Secretary of Tourism
- Secretary of Trade and Industry
- Secretary of Science and Technology
- Chairman of the Commission on Higher Education
- President of the League of Provinces
- President of the League of Municipalities
- President of the League of Cities

¹The NCWC is comprised of the Executive Secretary (as Chair) and the Secretaries of Transportation and Communications, National Defense, Foreign Affairs, the Interior and Local Government, Justice, Energy, Finance, Environment and Natural Resources, and Agriculture.

- President of the League of Barangays
- Representatives from the private sector (chosen by the Council and appointed by the President for a fixed term upon recommendation of the Council) comprising representatives from the academe, fisherfolk and fisherworkers, commercial fishing and aquaculture operators and processing sectors, business community engaged in activities such as marine transportation, port operations, etc.

The existing National Fisheries and Aquatic Resources Management Council and local Fisheries and Aquatic Resources Management Councils created pursuant to Republic Act No. 8550 (or the Philippine Fisheries Code of 1998) shall be abolished and replaced by the proposed National Ocean and Marine Council. There shall be established in all municipalities and cities abutting coastal and marine waters a local ocean and marine council replacing the existing local Fisheries and Aquatic Resources Management Council.

The current National Coast Watch Secretariat shall be renamed as the National Ocean and Marine Management Office and shall still be headed by an Executive Director appointed by the President upon the recommendation of the National Ocean and Marine Council. The Executive Director shall be assisted by two Deputy Executive Directors appointed by the National Ocean and Marine Council—a Deputy Executive Director for Ocean and Marine Programs (who shall be performing the line functions of the office) and a Deputy Executive Director who shall be focused on the internal operations of the National Ocean and Marine Management Office.

The existing National Coast Watch Center shall be one of the units of the proposed agency that will be focused on marine security. It shall be under the proposed Council with an office doing not just marine security but also development and regulation.

Option B: Creation of the National Commission for Marine Affairs

The National Commission for Ocean and Marine Affairs shall be the lead policy-making body to coordinate, monitor and evaluate government policies, plans, and programs to ensure a balanced and sustainable development and conservation of ocean and marine resources. The National Commission for Ocean and Marine Affairs shall have the same status as that of a national government agency and shall be under the Office of the President. The Executive Director shall serve as the Chairperson of the Commission and shall have four commissioners appointed by the President. The NEDA Director-General shall serve as the Vice Chairperson of the Commission. The Vice Chairperson and the three other Commissioners shall have the rank of Secretary and Undersecretary, respectively. The existing National Coast Watch Council, which is being proposed to be transformed into the National Ocean and Marine Council under option A, shall serve as the advisory council of the National Commission for Ocean and

Marine Affairs.

Option C: Creation of the Department of Marine Affairs

The third option is creation of an independent/line marine agency. As a line agency, it shall directly implement policies, plans, and programs. For purposes of this strategic plan, it shall be tentatively called the Department of Marine Affairs.²

The Department of Marine Affairs shall have the following key features:

1. The agency to be created must be an independent executive department. While the current National Coast Watch System (NCWS) serves as an inter-agency body for marine and maritime concerns, a more structured administrative arrangement is needed so as to emphasize the nature of marine governance as it covers not just maritime security, which apparently is the current thrust of the NCWS, but also politics and jurisdiction, marine regulation and enforcement, and marine development and conservation. An independent marine agency shall also minimize the tendency of a government agency to give more importance to the aspect of marine policy that is closely related to their mandate and area(s) of specialization. For instance, the earlier administrative mechanism that was placed under the Department of Foreign Affairs resulted in the tendency to implement the National Marine Policy using the perspective of foreign policy (politics and jurisdiction) with less attention on the other pillars of marine policy.
2. There shall be an advisory council to the Department of Marine Affairs with members similar to the composition of the proposed National Ocean and Marine Council under Options A and B. The National Fisheries and Aquatic Resources Management Council³ could be integrated into the advisory council of the Department of Marine Affairs to provide a more holistic approach to the management of fisheries and aquatic resources.
3. To ensure an ecosystem-based approach to the management and development of marine resources, there will be administrative mechanisms for each marine biogeographic region in the country, namely: West Philippine Sea, Sulu Sea, Celebes Sea, Visayas, Northeastern Philippine Sea, and Southeastern Philippine Sea. Instead of regional offices that follow the administrative regions in the Philippines as field service areas of the proposed department, the regional offices shall be created for each biogeographic region. Field offices may also be created depending on the

² The name Department of Marine Affairs was suggested during the National Marine Policy Scoping Workshop held on 11 May 2015.

³ Created by virtue of Rep. Act No. 8550 to (a) assist in the formulation of national policies for the protection, sustainable development and management of fishery and aquatic resources for the approval of the Secretary; (b) assist the Department in the preparation of the National Fisheries and Industry Development Plan; and (c) perform such other functions as may be provided by law (Sec. 72).

exigencies of these biogeographic regions. These biogeographic regional and field offices shall constitute the operating arms of the Department of Marine Affairs.

4. The Philippine Coast Guard shall be transferred from the Department of Transportation and Communications to the Department of Marine Affairs as an armed and uniformed service with core functions of maritime safety, marine environmental protection, maritime law enforcement, and maritime search and rescue. The existing National Coast Watch Center⁴ established in and headed by the Philippine Coast Guard shall be retained. The National Coast Watch Center is an inter-agency maritime surveillance and coordinated response facility to address current and future maritime safety, security, and environmental protection challenges in the country. To ensure sustainable utilization of marine resources, a monitoring, control, and surveillance system shall be established at the national and biogeographic regional levels under the National Coast Watch Center.
5. To prevent duplication of functions that could later on result in administrative conflicts, it is recommended that the role of the Maritime Police Command, an operational support unit under the Philippine National Police, be modified. There are at least two alternatives to address this. One is the complete abolition of the Maritime Police Command with all its maritime law enforcement functions returned to the Philippine Coast Guard.⁵ The other alternative is that the role of the Maritime Police Command shall be limited to the enforcement of the Revised Penal Code provisions, while maritime law enforcement functions be performed solely by the Philippine Coast Guard. In both alternatives, however, the Philippine National Police is not absolutely prevented from exercising police functions over coastal areas within their jurisdiction.
6. The Bureau of Fisheries and Aquatic Resources, currently under the Department of Agriculture, shall be transferred as a line bureau of the Department of Marine Affairs. Its primary mandate is to ensure the development, improvement, management, and conservation of the country's fisheries and aquatic resources.
7. The following agencies shall be created/transferred to and be either under the administrative supervision or an attached agency of the Department of Marine Affairs:
 - a. The Maritime Industry Authority (MARINA), which currently is attached to the Department of Transportation and Communications,

⁴ Created pursuant to Executive Order NO. 57, s. of 2011 and Executive Order No. 82, s. of 2012.

⁵ This requires amendment of Republic Act No. 6975.

shall be the primary office with general jurisdiction and supervision over all persons, corporations, firms, or entities in the maritime industry (e.g., marine transportation, crewing, seafaring, licensing, certification, shipbuilding, ship repair, maritime education and training, etc.).

- b. The Philippine Ports Authority (PPA) shall be transferred under the administrative supervision of the Department of Marine Affairs. It shall primarily be responsible for the development and management of the ports system in the country within the context of a national intermodal and multimodal transport network that is responsive to the needs of regional trade and economic development.
- c. The Marine and Oceanographic Research Institute, which shall be established as an attached agency of the Department of Marine Affairs, shall converge with existing relevant government agencies such as the Department of Science and Technology, the National Economic and Development Authority, the Department of Environment and Natural Resources (particularly, the Biodiversity Management Bureau), the Department of Agriculture, and state universities and colleges (e.g., UP Marine Science Institute, UPV College of Fisheries and Ocean Sciences, etc.). A panel of technical experts comprising of a network of experts, enforcers, and local communities shall assist the Marine and Oceanographic Research Institute to ensure the blending of scientific research and local knowledge on marine environment. There shall be created for each marine biogeographic region a marine and oceanographic research center/station. Existing marine research centers/institutes, such as the Marine Research and Breeding Center in the Municipality of Baler, Province of Aurora created pursuant to Republic Act No. 9441 and the National Fisheries Research and Development Institute of the Bureau of Fisheries and Aquatic Resources, shall be integrated into the Marine and Oceanographic Research Institute.
- d. The Philippine Reclamation Authority, a government owned and controlled corporation, currently an attached agency of the Department of Environment and Natural Resources, shall be transferred to the Department of Marine Affairs as its attached agency. The agency's mandate is primarily on reclamation of land, both proprietary and regulatory. The impacts of land reclamation to marine resources management necessitates that it be an attached agency of the Department of Marine Affairs.

- e. The Philippine Merchant Marine Academy, currently an attached agency of the Department of Transportation and Communications, offers nautical curriculum leading to the degrees of Bachelor of Science in Marine Transportation (major in navigation and seamanship) and Bachelor of Science in Marine Engineering (major in steam engine and electrical engineering). Since it is being transferred to the Department of Marine Affairs as an attached agency, it is recommended that the academy also offer more dynamic courses on naval architecture and ocean engineering. Likewise, the Philippine Merchant Marine Academy's Training Center is recommended to offer capacity development courses for professional marine managers.
- f. The National Maritime Polytechnic, created pursuant to Presidential Decree No. 1369, offers specialization and upgrading courses for both licensed officers and ratings, and conducts researches and studies on the latest maritime technologies and other related matters for the maritime industry. The existence of the National Maritime Polytechnic, however, has to be studied in depth considering the strategy to rationalize and streamline all government agencies that have marine-related mandates. The functions of the National Maritime Polytechnic could be absorbed by the Philippine Merchant Marine Academy's Training Center (for the offering of specialization and upgrading courses)⁶ and by the proposed Marine and Oceanographic Research Institute under the administrative supervision of the Department of Marine Affairs (for the conduct of researches and studies).
- g. The professionalization of ocean and marine management in the country shall be addressed through the establishment of a professional multidisciplinary institution of higher and advanced learning. This proposed entity shall take charge in the provision of advanced managerial, leadership, and multidisciplinary but integrative capacity building programs for the ocean and marine leaders and managers. Particularly, the proposed capacity building programs shall provide ocean and marine managers competencies to effectively mobilize resources, and direct ocean and marine management activities. The programs to be provided shall be sustained within the context of the dynamic and evolving ocean and marine environment. It is further proposed that this entity shall collaborate and partner with both local and international

⁶ This could also be offered by private maritime training schools/centers.

organizations that provide technical, managerial, and leadership programs to ocean and marine managers and leaders.

- h. The National Marine Finance Corporation,⁷ a government-owned and controlled corporation, is proposed to be created to provide credit and other alternative financing schemes as well as manage existing financing facilities related to the marine sector. For instance, the available funds and financing schemes under Republic Act No. 8550 shall be transferred to the National Marine Finance Corporation from their respective fund managers. These include the Municipal Fisheries Grant Fund, Fishery Loan and Guarantee Fund, Fishing Vessels Development Fund, and the Aquaculture Investment Fund.

⁷ A National Maritime Finance Corporation was proposed to be created pursuant to Senate Bill No. 3545 (or the Philippine Marine Act of 2009) filed by Senator Jinggoy Ejercito Estrada during the 14th Congress to provide credit and other alternative financing schemes to shipbuilders and shipowners.