NATIONAL TUNA MANAGEMENT PLAN OF THE PHILIPPINES

DEPARTMENT OF AGRICULTURE
BUREAU OF FISHERIES AND AQUATIC RESOURCES

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LIST OF ABBREVIATIONS

ALC	Automatic Location Communicator
APEC	Asia Pacific Economic Cooperation
APFIC	Asia Pacific Fisheries Commission
CCSBT	Commission for the Conservation of Southern Bluefin Tuna
CFVGL	Certificate of Fishing Vessel and Gear License
CITES	Convention on Biological Diversity and Convention on the International Trade in Endangered Species of Wild Flora and Fauna
CTI	Coral Triangle Initiative
DA	Department of Agriculture
DA-BAS	Department of Agriculture Bureau of Agricultural Statistics
DA-BFAR	Department of Agriculture Bureau of Fisheries and Aquatic Resources
DENR	Department of Environment and Natural Resources
DFA	Department of Foreign Affairs
DTI	Department of Trade and Industry
EEZ	exclusive economic zone
EU	European Union
FAD	fish aggregating device
FAO	Fisheries Administrative Order
FAO	Food and Agriculture Organization
FARMC	Fisheries and Aquatic Resource Management Council
FDS	fathoms depth stretched
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GHP	Good Hygiene Practices
GMP	Good Manufacturing Practices
GSFPC	General Santos Fish Port Complex
HACCP	Hazard Analysis and Critical Control Points
ICCAT	International Commission for the Conservation of Atlantic Tunas
IFP	international fishing permit
ILO	International Labor Organization
IOTC	Indian Ocean Tuna Commission
IRR	Implementing Rules and Regulations
ISO	International Organization for Standardization
IUU	Illegal, unreported and unregulated (fishing)
LOA	length overall
LGU	local government unit
LOSC	United Nations Convention on the Law of the Sea
MARINA	Maritime Industry Authority
MCS	monitoring, control and surveillance
MCSCOC	Monitoring Control and Surveillance Coordinating and Operations Center
MSC	Marine Stewardship Council
MSY	maximum sustainable yield

MT	metric tons
MTDP	Medium Term Development Plan
MTU	Mobile Tracking-Transceiver Unit
NAFC	National Agriculture and Fisheries Council
NCIE	National Committee on Illegal Entrants
NFRDI	National Fisheries Research and Development Institute
NFOP	National Fisheries Observer Program
NIPAS	National Integrated Protected Areas System
NSAP	National Stock Assessment Program
NTIC	National Tuna Industry Council
PCAMRD	Philippine Council for Aquatic and Marine Research and Development
PFDA	Philippine Fisheries Development Authority
PPA	Philippine Ports Authority
RA	Republic Act
RPOA	Regional Plan of Action to Promote Responsible Fishing Practices Including Combating Illegal, Unreported and Unregulated Fishing
SEAFDEC	Southeast Asian Fisheries Development Council
SFFAII	SOCKSARGEN Federation of Fishing and Allied Industries Inc
TAC	total allowable catch
UN	United Nations
USD	United States dollar
WCPFC	Western and Central Pacific Fisheries Commission
WPEA-OFMP	West Pacific East Asia Ocean Fisheries Management Project
WTO	World Trade Organization
WWF	World Wildlife Fund for Nature

NATIONAL TUNA MANAGEMENT PLAN OF THE PHILIPPINES

1. Introduction

The Revised Philippine National Tuna Management Plan provides the framework for the sustainable management and equitable use of tuna fisheries in the country, promotion of responsible fishing practices by Philippine-flagged vessels fishing for tuna in areas beyond national jurisdiction, and the development of the fishing industry through responsible trade of tuna products. This Plan implements the *Philippine Fisheries Code* (Republic Act 8550) and all relevant domestic policies, legislation and regulations, including the obligations of the Philippines under international and regional fisheries agreements to which the country is a party. The Plan has been revised to align management measures with the need for the proper conservation of tuna resources and the development of the Philippine tuna industry. The Philippine National Tuna Management Plan elaborates the objectives, principles, and scope of the Plan, the importance of tuna fisheries in the Philippines, applicable legal, policy and institutional framework, and management and enforcement measures for tuna fisheries in the Philippines.

1.1 Objectives of the National Tuna Management Plan

The fundamental objective of the National Tuna Management Plan is to promote the effective conservation, management, and equitable use of tuna resources in the Philippines for the sustainable development of the tuna industry in the Philippines. In order to attain this goal, the National Tuna Management Plan provides for the following specific objectives:

a. Ensure that tuna stocks are maintained at sustainable levels by taking into account best scientific evidence available and relevant environmental and socio-economic factors;

b. Ensure effective data collection and analysis that would support management decisions for the rational use and conservation of tuna fisheries;

c. Promote the socio-economic development of the tuna industry not only by encouraging responsible fishing practices but also by securing the trade of and market for tuna products and upholding just share of fish workers in utilizing tuna resources;

d. Exercise effective jurisdiction over Philippine-flagged vessels fishing for tuna resources in areas under the jurisdiction of other States, and on high seas areas managed by regional fisheries management organizations;

e. Prevent, deter and eliminate illegal, unreported and unregulated (IUU) fishing for tuna stocks by adopting effective monitoring, control and surveillance measures; and

f. Support the use of environmentally sound technology and relevant research on tuna fisheries.

1.2 Principles of the National Tuna Management Plan

The Philippine National Tuna Management Plan promotes the following conservation and management principles embodied in international fisheries agreements, the Philippine Constitution, and applicable domestic laws, regulations and policies.

a. Use of best scientific evidence available and relevant environmental and economic factors to ensure proper conservation and management of tuna resources;

b. Protection of the country's tuna resources in its archipelagic waters, territorial sea, and exclusive economic zone, reserving its use and enjoyment exclusively to Filipino citizens;

c. Protection of the rights of subsistence tuna fishermen, in both municipal and offshore fishing grounds;

d. Ecosystem and precautionary approaches to tuna fisheries management;

e. Responsible fish utilization and trade practices consistent with principles, rights and obligations under the World Trade Organization (WTO);

f. Cooperation with other States, bilaterally or multilaterally, in promoting the conservation and management of shared tuna resources;

g. Compatibility of measures in the exclusive economic zone and on the high seas; and

h. Effective monitoring, control, surveillance, enforcement, and compliance mechanism.

1.3 Scope of Application

The objectives, principles, and management measures contained in this Plan applies to all forms of municipal and commercial fishing for tuna up to the limit of the Philippine exclusive economic zone (EEZ), and in particular the capture of skipjack tuna (*Katsuwonus pelamis*), yellowfin tuna (*Thunnus albacores*), bigeye tuna (*Thunnus obesus*), Northern bluefin tuna (Thunnus thynnus orientalis), albacore tuna (*Thunnus alalunga*), longtail tuna (*Thunnus tonggol*), frigate tuna (Auxis thazard), bullet tuna (*Auxix rochei*), and striped bonito (*Sarda sarda*). Specific management measures also apply to the operations of Philippine-flagged vessels fishing outside the jurisdiction of the Philippines. The Plan also includes measures that apply to the trade of tuna products originating from the Philippines, which includes fish caught elsewhere but transshipped and/or processed in the country.

Nothing in this Plan prevents the national government departments and local governments from adopting similar management measures on other species of tuna caught within the

Philippine archipelagic waters, territorial sea, and the exclusive economic zone. Species-specific tuna fisheries management plans may also be formulated consistent with the general objectives and principles of this Plan.

1.4 Timeframe and Review of the Plan

This National Tuna Management Plan shall be reviewed and revised as deemed necessary by the Department of Agriculture, through the Bureau of Fisheries and Aquatic Resources, based on changes in the tuna fishery, taking into account new scientific data, as well as any amendments in domestic legislation and policy or relevant regional conservation and management measures, which may have an impact on the operations of the tuna industry. The review and revision of the Philippine Tuna Management Plan will be undertaken upon consultation with all stakeholders.

2. Profile of Tuna Fisheries in the Philippines

The Philippines is one of the top fish producing countries in the world. The importance of fisheries in the country's socio-economic development cannot be understated. The fishing industry's contribution to Gross Domestic Product (GDP) was 2.3% at current prices and 4.3% at constant prices (Philippine Fisheries Profile, 2008). The net surplus from the international trade in fish and fish products is USD416 million. Tuna remains one of the top export fish commodities, being traded in different forms (fresh, chilled, frozen, smoke, dried and canned) to major markets such as the United States, Germany, and Japan. Tuna fishing also provides sources of livelihood for hundreds and thousands of fishermen and in the downstream fishing industry.

2.1 Tuna Catch in the Philippines

The tuna resources in the Philippines are distributed throughout Philippine waters. The main species covered by the Plan are predominant in the more extensive deeper waters, some of which occur in the northeast part of the Philippine waters. The oceanic tuna resources are recognized to be part of regional stocks in the Western and Central Pacific Ocean, as shown by tagging experiments, though possibly with less mixing with adjoining areas. There is little seasonality in the tuna fisheries, other than that influenced by monsoonal events and movements into the out of the area. A range of non-target, associated and dependent species occur with the oceanic tuna species in Philippines waters and include billfish, teleosts such as round scad, rainbow runners, mahi mahi, and sharks.

All three species (yellowfin, bigeye, and skipjack tuna) spawn extensively in Philippines waters, and juvenile tunas make up a high proportion of the standing biomass (and catch) of all species. The smaller skipjack tuna (*Katsuwonus pelamis*) make the largest contribution to the available tuna biomass in Philippine waters, and inhabit the surface layers as schools for most of their short life. Yellowfin tuna (*Thunnus albacares*) school with skipjack as juveniles, before

occupying deeper waters as adults and attaining large size (over 150 kg). The yellowfin biomass in Philippines waters is assumed to be large based on relative catch volumes. Bigeye tuna (*Thunnus obesus*), the least abundant but most valuable species, have similar habits to yellowfin and attain similar size, but may be distributed deeper in the water column as adults.

The total tuna catch in the Philippines from 2005 to 2009 are presented in Table 1.

Table 1. Total Tuna Catch, by species, in metric tonnes (MT), 2005-2009

Year	Commercial			Municipal			Total
	Skipjack	Yellowfin	Bigeye	Skipjack	Yellowfin	Bigeye	
2005	112, 696	69,833	11,600	30,368	44,194	10,086	**278,777**
2006	130,930	66,334	15,334	33,396	47,063	14,137	**307,193**
2007	152,098	82,660	17,325	33,766	51,832	16,891	**354,572**
2008	181,563	116,528	17,174	40,447	51,882	17,967	**425,561**
2009	201,262	91,440	3,701	50,262	60,997	2,034	**409,697**

Source: Bureau of Agricultural Statistics, Annual Fisheries Statistics, 2005-2008.
Note: Data for 2009 are provisional. The annual tuna catch estimate includes catches from foreign waters or by foreign-flagged vessels accounting to about 68,000 MT in 2009.

The tuna fishery is usually divided into two sectors, the municipal sector, involving vessels less than 3 GRT, and the commercial sector, with vessels above that size and prohibited from fishing in municipal waters (less than 15 km from the shoreline). Most of the tuna catch is taken by purse seine, ring net and handline gears, with a variety of other artisanal gears in use, such as gillnet, troll line, multiple handline, and mini-longline. The commercial sector provides the majority of the catch of oceanic tunas (about 70% of the official total catch). This is primarily taken by larger purse seine vessels targeting skipjack and yellowfin, whereas the municipal sector catch, with handline as the predominant gear (estimated 70% of catches), takes similar quantities of oceanic and neritic tunas.

Table 2. Catch Estimate of Oceanic Tuna Species, by gear type, 2004-2008 in Western and Central Pacific Oceans (in MT)

Year/Species	Handline (Small)	Handline (Large)	Longline	Purse seine	Ringnet	Unclassified	Total
2004							
Skipjack	35,830		2,520	99,502	13,399	704	151,955
Yellowfin	58,974	13,099	3,622	28,744	4,560	1,849	110,848
Bigeye	5,548	263	403	3,193	311	174	9,892
Total	100,352	13,362	6,545	131,439	18,270	2,727	272,695
2005							
Skipjack	48,217		2,491	91,372	12,363	836	155,279
Yellowfin	51,295	12,990	3,470	36,280	5,979	1,775	111,789
Bigeye	3,078	670	729	6,719	336	167	11,699

Total	102,590	13,660	6,690	134,371	18,270	2,778	278,767
2006							
Skipjack	53,132		2,745	97,724	13,623	922	168,146
Yellowfin	56,524	14,498	3,824	44,420	6,175	1,956	127,397
Bigeye	3,391	555	804	5,923	823	184	11,680
Total	113,047	15,053	7,373	148,067	20,621	3,062	307,223
2007							
Skipjack	61,327		3,169	128,178	16,629	1,064	210,367
Yellowfin	65,241	16,853	4,414	39,308	6,652	2,257	134,725
Bigeye	3,914	521	927	3,418	713	213	9,706
Total	130,482	17,374	8,510	170,904	23,994	3,534	354,798
2008							
Skipjack	61,327		3,330	146,527	17,761	1,110	230,055
Yellowfin	65,241	15,712	5,052	43,787	8,421	7,915	146,128
Bigeye	3,914	637	643	3,762	322	210	9,488
Total	130,482	16,349	9,025	194,076	26,504	9,235	385,671

Source: WCPFC Tuna Fishery Yearbook 2008

There are currently 625 fishing vessels listed in the WCPFC Record of Fishing Vessels. There are also 72 vessels on the IOTC record, 25 vessels on the ICCAT record, and 25 vessels on the CCSBT record of vessels as at 2012. There are other commercial vessels fishing for tuna in the Philippine EEZ which are not included in this regional record because they are fishing exclusively in Philippine waters and hence are not required to be listed on regional records. Municipal vessels are licensed under the jurisdiction of local government units (LGUs), and are also not accounted for in regional records, although their catch may form part of the statistics for the Western and Central Pacific.

Philippine flagged vessels also have access arrangements to fish in other country's EEZ. Since the mid 1980s, larger purse seine vessels operated by Philippine companies have fished in neighboring countries, notably Papua New Guinea and previously in Indonesia, under access, joint venture agreements or as local companies, with some of the catch being previously landed in Philippines ports for processing. Some vessels also fish on the high seas. The catch of Philippine purse seine bilateral access vessels in PNG waters totalled 27,408 MT in 2006, while the catch of PNG-based Philippine purse seine vessels was 49,876 MT in 2008.

Transshipment of tuna catch by foreign vessels also form part of the Philippine tuna statistics. Landing of tuna by foreign vessels is permitted in only one port in the Philippines, Davao (Toril) operated by the Philippine Fisheries Development Authority (PFDA). There are 420 port calls in Davao Regional Fish Port in 2009, with a volume of 2,978 MT in terms of unloadings. About 60% of the catch is retained in the Philippines while 40% is transhipped to overseas markets.

2.2 Tuna Export and Post-harvest Activities in the Philippine Tuna Fishery

Most of the municipal tuna catch (113,293MT of oceanic tunas in 2009) is landed as wet fish in more than 8,000 landing sites all over the Philippines. Much of the municipal catch is processed by drying, salting, smoking etc. No data are available on the disposal of the municipal catch after landing, but little of the municipal tuna catch would enter large scale commercial processing, the exception being large handline-caught tuna exported as sashimi and marketed as either frozen or smoked, mostly in General Santos, and possibly small amounts of tuna sold as wet fish direct to canneries. The commercial domestic tuna catch of oceanic tunas is increasingly directed towards processing by domestic canneries, based in the Philippines and elsewhere, with lesser amounts going into frozen smoked operations. There are 455 commercial landing centers in the Philippines, which include PFDA and LGU controlled ports, as well as private wharves.

There are currently seven tuna canneries in the Philippines, six in General Santos City and one in Zamboanga. Tuna supply to these canneries mostly comes from Philippine purse seiners and ring netters, both local vessels and via carriers from overseas operations. There are two Philippine-owned and operated canneries in Papua New Guinea, one in Madang, and one in Lae, processing around 500,000 MT a year. There are more than 15 frozen tuna processors in the Philippines, 80% of which are located in General Santos City.

The General Santos Fish Port Complex (GSFPC) is the country's major tuna unloading port, with 143,316 MT total tuna unloadings in 2009. It has undergone expansion and improvement. Major components of the said expansion/improvement project includes construction of deep wharves, cold storage and processing area, port handling equipment, power substation, waste water treatment plant, water supply system and other ancillary facilities. The GSFPC port facilities meet international standards for food safety and accredited by the European Union (EU), Japan and United States. The Navotas Fish Port Complex in Metro Manila is the second largest total tuna unloadings of 10,000 MT for 2008. Six other major fish ports in the country are proposed for rehabilitation in the near future. Rehabilitation of the Navotas fish port includes upgrading of port facilities (such as roads, electrical and power system, landing quay and west breakwater), construction of cold storage and processing plant, and waste water treatment facilities.

In addition to post-harvest sector, a significant component of the Philippine tuna fishing industry is its export market. Table 3 shows the tuna commodities exported by the Philippines.

Table 3. Tuna Exports by Commodity, 2005-2009, in MT

Tuna Commodity	2005	2006	2007	2008	2009
Fresh/chilled/frozen	13,679	24,406	26,854	32,365	23,504
Dried/smoked	21	42	0.4	17	
Canned	30,769	45,611	48,284	76,910	83,604
Total Value (USD million)	98.22	136.05	218.55	395.94	346.40

Source: National Statistics Office data, in BAS Fisheries Statistics, 2005-2009

3. Legal and Policy Framework for the Management of Tuna Resources

The legal and policy framework for the sustainable management of tuna resources in the Philippines, responsible fishing by Philippine flagged vessels operating outside national jurisdiction, and trade of Philippine tuna products comprises a complex set of domestic laws and policies and relevant international agreements, regional agreements and policies, and other applicable rules and regulations.

The utilization, conservation, and management of fisheries resources in the Philippines is governed by a number of laws primarily, the Philippine Fisheries Code 1998, the Agriculture and Fisheries Modernization Act 1997, and the Local Government Code 1991. The Philippine Fisheries Code 1998 provides the basic fisheries management framework; the Agriculture and Fisheries Modernization Act 1997 addresses fisheries development as a component of the agricultural sector; and the Local Government Code 1991 provides guidelines for local autonomy and decentralization which includes fishery functions. A specific law on handline fishing, Republic Act 9379, was also enacted in 2007 to provide a framework that takes into account the unique characteristics of handline fishing vessels. Regulations implementing the Philippine Fisheries Code are in the form of Implementing Rules and Regulations (IRR) and Fisheries Administrative Orders (FAO) issued by the Department of Agriculture. Aside from these basic fisheries-related laws, national policies are part of the general framework for sustainable fisheries management. These national policies include the National Marine Policy, Philippine Agenda 21, the Medium-Term Philippine Development Plan (MTPDP), and the (draft) Philippine National Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (NPOA-IUU). A number of laws and policies relating to the environment, trade, and safety of fishing vessels also form part of the general framework for the effective management of fisheries and control of fishing activities in the Philippines.

The international legal basis for the management of tuna fisheries in the Philippines are the various agreements that the Philippines has adopted, ratified, or acceded to. These international agreements include the United Nations Convention on the Law of the Sea (LOSC) (ratified on 08 May 1984). The Philippines is yet to accede to the FAO Compliance Agreement and the UN Fish Stocks Agreement. However, it is party to a number of environmental treaties that have an impact on fisheries, such as the Convention on Biological Diversity and Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES). The country is also committed to implementing non-binding international instruments such as the FAO Code of Conduct for Responsible Fisheries and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU).

As a member of the Indian Ocean Tuna Commission (IOTC), International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Western and Central Pacific Fisheries Commission (WCPFC), and a Cooperating Non-member to the Commission for the Conservation

of Southern Bluefin Tuna (CCSBT), the Philippines implements its obligations under the respective regional conventions and conservation and management measures adopted by these organizations. The Philippines also recognizes its commitment to cooperate within the framework of other regional organizations and arrangements which may have an impact on tuna fisheries management policies such as the Asia Pacific Fisheries Commission (APFIC), Southeast Asian Fisheries Development Council (SEAFDEC), Asia Pacific Economic Cooperation (APEC), and Regional Plan of Action to Promote Responsible Fishing Practices Including Combating Illegal, Unreported and Unregulated Fishing (RPOA), and the Coral Triangle Initiative (CTI).

As a major tuna producer and exporter, the Philippines is also cognizant of various international rules that affect other aspects of tuna fisheries such as trade for tuna products, particularly World Trade Organization (WTO) rules on tariff and non-tariff barriers, fisheries subsidies, anti-dumping, sanitary and phytosanitary measures. Other trade related measures implemented under regional fisheries management organizations also apply such as catch documentation schemes, rules of major trading partners on the trade of legally caught fish under the EU IUU Regulation, and the amended Magnuson Stevens Act of the United States.

4. Institutional Framework

Tuna fisheries management in the Philippines is primarily governed by the national government, through the Department of Agriculture Bureau of Fisheries and Aquatic Resources (DA-BFAR), and the local government. The DA-BFAR is given the responsibility to manage, conserve, develop, protect, utilise, and dispose of all fisheries and aquatic resources beyond municipal waters while municipal and city governments have jurisdiction over municipal waters of up to 15 kilometers from the shoreline.

Aside from the DA-BFAR and local government units, there are other government agencies with fisheries-related functions, which are involved in addressing issues related to tuna fisheries management. These agencies include the Department of Environment and Natural Resources (DENR), Maritime Industry Authority (MARINA), Philippine Fisheries Development Authority (PFDA), Philippine Ports Authority (PPA), Department of Trade and Industry (DTI), and the Department of Foreign Affairs (DFA). The functions of these agencies include the protection of fish habitat, management of fish ports, registration of fishing vessels, regulation of fish trade, and fisheries negotiations. There are also a number of key research and policy support agencies, which include the National Fisheries Research and Development Institute (NFRDI) and Bureau of Agriculture Statistics (BAS). The enforcement agencies given the responsibility to enforce fisheries laws are the Philippine Coast Guard, Philippine Navy, Philippine National Police Maritime Group, and the Philippine Air Force.

Local government units, particularly municipal and city governments, play a crucial role in the management, conservation, development, protection, and utilization of all fish and fishery resources municipal waters. As part of the Philippine policy of decentralization, local governments are given the autonomy to exercise fisheries functions, including policy

formulation and enforcement. Municipal and city governments may enact appropriate ordinances for this purpose and provide regulations on licensing and permits and other fisheries activities. Municipalities have the exclusive authority to grant fishery privileges in the municipal waters and impose rentals, fees or charges. The city government may grant fishery privileges to erect fish corrals, oyster, mussel or other aquatic beds or milkfish fry areas, within a definite zone of the municipal waters; grant the privilege to gather, take or catch milkfish and prawn fry, or fry of other species and fish from the municipal waters by nets, traps or other fishing gears to marginal fishermen; and issue licenses for the operation of fishing vessels of 3 GRT or less. Local governments may also enforce all fishery laws, rules, and regulations as well as fishery ordinances enacted by the municipality or city councils. Through appropriate ordinances, LGUs may penalise fishers for the use of explosives, noxious or poisonous substances, electricity, *muro-ami*, and other deleterious methods of fishing, and prosecute any violation of fisheries laws within their jurisdiction.

A number of coordinating bodies have been established to facilitate the implementation of fisheries regulations and management measures. These coordinating mechanisms include the National Agriculture and Fisheries Council (NAFC), Fisheries and Aquatic Resource Management Councils (FARMCs), Philippine Council for Aquatic and Marine Research and Development (PCAMRD), National Committee on Illegal Entrants (NCIE), Monitoring Control and Surveillance Coordinating and Operations Centers (MCSCOCs), *Bantay Dagat* (Sea Watch) Program, and National Tuna Industry Council (NTIC).

The Philippines is committed to strengthening its instrumentalities to promote the effective management and conservation of tuna resources, by implementing an effective registration and licensing system, improving its data collection and analysis, enhancing port State control, and more effective monitoring, control, surveillance, and enforcement. The country is also developing mechanisms to increase collaboration amongst government agencies, and by engaging the industry as partners in the sustainable management and development of the tuna fishery.

5. Management Measures

This section of the Plan summarizes the various management measures implemented by the Philippines to ensure (1) the sustainable management of tuna fisheries within Philippine jurisdiction; (2) effective jurisdiction and control over Philippine flagged vessels fishing beyond areas of national jurisdiction; and (3) responsible trade of tuna products. These measures are embodied primarily in the Philippine Fisheries Code, its implementing rules and regulations, and Fisheries Administrative Orders adopted by the Department of Agriculture, and are deemed consistent with international and regional obligations and commitments. Where gaps exist, the National Tuna Management Plan provides the policies and measures that will be undertaken to address them.

5.1 Management of Tuna Resources within Philippine Waters

This section highlights the measures and policy directions adopted to ensure the sustainable management of fisheries resources within municipal waters, including archipelagic waters and territorial sea, and up to the limit of the Philippine exclusive economic zone.

5.1.1 Determination of Catch Limit based on Best Scientific Evidence Available

The *Philippine Fisheries Code* commits to the use of maximum sustainable yield (MSY) and total allowable catch (TAC) in the management of fisheries in Philippine waters. Despite considerable data, there are no comprehensive stock assessments available for all Philippine tunas resources on which estimates of MSY and TAC for tuna species may be based. It has also been increasingly recognized by the international scientific community that there are other methods apart from MSY which may be used as basis for sound management of tuna resources.

The lack of adequate data to determine the MSY has not detracted the Philippines from making initial assessments on the status of tuna fisheries and from implementing measures that would limit fishing effort based on best scientific evidence available, as provided by the National Stock Assessment Program (NSAP). There are also routine regional assessments and tagging projects conducted by other organizations and participated in by the Philippines in the Western and Central Pacific Ocean which supplement data collection and can inform fisheries management decisions.

The Bureau of Fisheries and Aquatic Resources will prioritize work towards the determination of catch limits based on MSY and other appropriate indicators and reference points (e.g. exploitation rates) for tuna resources in Philippine waters. The determination of MSY and other indicators will assist in the setting of TAC for tuna resources. Setting of TAC will help ensure equitable use of tuna resources in Philippine waters, promote optimal economic and social benefits for the Filipinos, and protect the interests of municipal fisherfolks. If after the MSY or other indicators have been determined there is enough evidence to suggest that tuna stocks are being fished beyond its capacity, the BFAR will adopt additional measures to ensure that fishing effort does not exceed sustainable catch levels.

Determination of MSY and TAC will help the Philippines move away from an open access regime towards a rights based management for the tuna fishery. This management system will include the development of a harvest strategy in accordance with target and limit reference points. The Philippines will work towards the determination of these reference points for key tuna fisheries, and in the interim will adopt measures to prevent negative fishing pressures based on existing data and best scientific evidence available. The Philippines will hold workshops on scientific methods to determine appropriate levels of fishing effort and catch limits for the country. It will also collaborate with neighboring States to establish regional assessments for shared tuna stocks.

5.1.2 Control of Fishing Effort and Capacity

As highlighted in Part 2 of this Plan, tuna catch in the Philippines has been showing a declining trend in the past ten years. This is largely due to measures adopted to limit fishing effort and capacity consistent with domestic law and applicable regional measures. In particular, the Philippines has issued a moratorium on commercial fishing vessel licenses since 2003. Policies and technical measures have also been adopted to prevent the increase in fishing mortality for yellowfin tuna beyond 2001-2004 average (as set under the Western and Central Pacific Fisheries Commission) and to significantly reduce bigeye tuna fishing mortality consistent with conservation and management measures adopted for bigeye and yellowfin tuna by the WCPFC. These technical measures are further discussed below.

Pending the development of a rights-based system for tuna fisheries, the Philippines will continue to ensure that tuna resources within its waters are not threatened by overexploitation through the application of a suite of measures. Such measures will be based on best scientific evidence available and all relevant environmental and economic factors. The Philippines will continue to adopt measures that would decrease fishing mortality for bigeye tuna by 30% and maintain, or if necessary reduce, current catch of yellowfin tuna consistent with regional obligations. The Philippines is also committed to developing other compatible measures that would effectively conserve and utilize skipjack tuna resources.

5.1.2.1 Registration and Licensing of Fishing Vessels

The Philippines requires the registration of vessels involved in the commercial fishing for tuna resources. These vessels include motorized vessels of more than 3 GRT and bareboat chartered vessels of Philippine nationals or corporations. Such vessels are required to meet international standards of safety and manning of ships. A complementary set of measures for the registration and inspection of handline vessels are also applied. Municipal fishing vessels follow a similar registration regime as larger vessels implemented by local government units. Municipal fisherfolks and fisherfolk organizations and cooperatives are also required to register before participating in any fisheries-related activity. All registered vessels have unique identification numbers to avoid double registration. Registration of vessels may be subject to deletion or registration in certain circumstances, including the violation of fisheries laws.

Vessels fishing for tuna are required to obtain fishing vessel and gear license before they can engage in any fishing activity. For vessels more than 3 GRT, obtaining a valid certificate of registry, ownership, inspection is required before a Certificate of Fishing Vessel and Gear License (CFVGL) is granted. Compliance with fisheries laws and regulations is a requirement before obtaining or renewing any license. A number of conditions are also attached to a CFVGL including the submission of fishing logbook and catch effort report, as well as compliance with the provisions of the *Philippine Fisheries Code* and the Fisheries Administrative Orders. Licensing of both commercial scale tuna and handline fishing vessels are administered by DA-BFAR while that of municipal vessels are undertaken by LGUs. Licensed fishing vessels and gears are clearly marked in accordance with the Food and Agriculture Organization (FAO) standard for the marking of fishing vessels and gears.

Apart from the issuance of fishing licenses, the Philippines continues to implement a moratorium on the issuance of new CFVGLs under DA-FAOs 223 and 233-1. This moratorium not only facilitates the inventory of both licensed and unlicensed vessels, but more importantly reduces fishing effort and capacity. The moratorium on the issuances of fishing licenses is complemented by a suspension on the importation of fishing vessels.

The Philippine will improve the system of registration and licensing of fishing vessels by clearly stipulating the terms and conditions of licenses for all types of vessels fishing for tuna in Philippine waters, which may include further reporting obligations, implementation of VMS, and catch retention and landing conditions. Local governments will be encouraged to enact local ordinances implementing a robust licensing system for municipal fisheries. The Philippines will also establish clear regulations implementing the Handling Fishing Law or RA 9379 with respect to the registration, inspection, manning, and licensing of handline fishing vessels.

Manning of fishing vessels is a key consideration in the development of the tuna fishing industry and in promoting the rights of fisherfolks. While the certification of masters and officers onboard commercial fishing vessels is provided in various maritime legislation, labor standards in fisheries need to be addressed in future discussions between the government and the fishing industry. These labor standards, guided by the International Labor Organization (ILO) Work in Fishing Convention 2007, include minimum requirements for work onboard fishing vessels and conditions of service, recruitment and placement of fisherfolks, social security protection, work agreements, payment, accommodation and food.

5.1.2.2 Regulation on Fishing Gears

In addition to the licensing of fishing gears, a number of other measures are implemented not only to protect of juvenile tuna but also to ensure preferential access of municipal vessels and fisherfolks in municipal waters. Examples of these measures include the prohibition of active fishing gears within municipal waters, prohibition on the use of purse seine and ring nets smaller than 3.5 inches at the bag or punt portion of the gear, and limitation of the depth of purse seine and ring nets. In particular, the purse seine and ring net catcher vessels are required to modify the maximum stretched depths of their nets by ten (10) fathoms from 125 fathoms depth stretched (FDS) in order to ensure further reduction in the catch of bigeye tuna under DA-FAO 236. This will ensure that bigeye tuna catch by ring and purse seine nets will only comprise approximate 0.5% of the total catch. Regulations on fishing gears are implemented in conjunction with the specific policies and regulations on fish aggregating devices.

Further standards for the use of fishing gears used for tuna fishing will be developed based on appropriate technology, environmental considerations, and best practice of the industry. Research will be encouraged to ascertain the most appropriate depth for various fishing gears in order to protect the catch of juvenile fish and the impact of different fishing gears on the health and abundance of tuna stocks, among others.

5.1.2.3 Payao or Fish Aggregating Device (FAD) Management

The Philippines is in the process of finalizing a FAD Management Policy to be adopted as a Fisheries Administrative Order in order to reduce fishing mortality of juvenile yellowfin and bigeye tuna arising from fishing activities using FADs. This DA-FAO will provide regulations on the design and operation of FADs (*payaos*) used by purse seine, ring net, and handline vessels in the Philippine EEZ. Similar management schemes for FAD fishing in other areas within Philippine jurisdiction.

Pending the adoption of a DA-FAO on *payao* management, the Philippines implements FAO No 236 which requires purse seine and ring net catcher vessels to be accredited by DA-BFAR before deploying or using FADs. The Philippines has not only reduced the number of FADs deployed in its archipelagic waters and EEZ, but also applies periodic FAD fishing closure since 2009 between July and September. These measures are consistent with the principle of compatibility of measures between the high seas and in the EEZ as provided under the UN Fish Stocks Agreement and WCPF Convention. All purse seine and ring net catcher vessels fishing on FADs during the closure period are required to carry on board Observers for monitoring purposes.

The Philippines is adopting a FAD Management Plan consistent with the Guidelines for the Preparations of FAD Management Plans developed under WCPFC CMM 2008-01. In the interim, DA-BFAR will continue to implement measures to limit the number of FADs deployed in Philippine waters with close cooperation of the tuna fishing industry through the National Tuna Industry Council (NTIC). The government will also encourage research ascertaining the impacts of FADs on tuna fishing.

5.1.2.4 Regulation by Fishing Area and/or Fishing Season

A number of other technical measures have been adopted by the Philippines to regulate fishing activities which have negative impacts on tuna resources in Philippine waters. These measures include the establishment of marine protected areas, fishing sanctuaries, reserves, and refuges which either prohibit or restrict fishing activities in certain areas and certain periods of time to protect marine ecosystems. As a recent example, the Philippines enacted Republic Act 10067 establishing the Tubbataha Reefs Natural Park in the Province of Palawan as a protected area under the *National Integrated Protected Areas System (NIPAS) Act* or RA 7586 and the *Strategic Environmental Plan of Palawan* (RA 7611). This law not only designates the Tubbataha Reefs as a natural park but also provides a 10 nautical mile buffer zone around the area which is declared as a 'no take zone'. This natural park, together with all the marine protected areas and fisheries reserves in Philippine waters decrease the area of fishing grounds available to fisherfolks in order to protect the food of predatory species such as tuna. These measures are consistent with the commitments of the Philippines to various regional environmental arrangements including the Coral Triangle Initiative. Local government units also reserve certain areas within municipal waters as fish sanctuaries, which may be smaller in scope but collectively encompass 4,400 square kilometers across Philippine waters.

With the increased participation of local communities and the fishing industry, the Philippines will continue to establish and implement fisheries reserves, refuges, sanctuaries, marine protected areas, natural parks, and closed areas as necessary, to promote ecological balance and the interdependence of stocks and resources crucial to the effective management of tuna resources.

5.1.2.5 Protection of Juvenile Fish

In addition to the limitation on fishing on FADs and establishment of fishery reserves and refuges, the *Philippine Fisheries Code* and its implementing regulations have specific provisions on the minimum size of net mesh, maximum depth of deployed purse seines and ringnets, and a prohibition on the sale of immature fish. As an example, fisheries regulations provide for the minimum size of skipjack, yellowfin, and bigeye tuna to be caught, sold, or traded to be 500 grams. An exception to the minimum size limit can be applied to 10% of catches from purse seine or ringnet vessels. The DA-BFAR is also conducting studies identifying the habitats of juvenile tuna in Philippine waters.

The DA-BFAR will continue to develop and apply technical measures for the protection of juvenile tuna fish. It will develop additional measures to protect the Celebes Sea as a spawning ground for tuna resources by establishing marine protected areas and other time and area closures. It is also committed to continue its research on the habitats of juvenile tuna in Philippine waters and to share the outcome of the studies with relevant regional fisheries management organizations.

5.1.2.6 Management of Associated Species (Bycatch)

Other management measures are implemented for the protection of associated species such as sharks, manta rays, sea turtles and other marine mammals. Such measures on the capture and trade of such animals are stipulated in the *Philippine Fisheries Code*, *Wildlife Resources Conservation and Protection Act* (RA 9147), the *Animal Welfare Act* (RA 8485), Fisheries Administrative Order No 193 and other international instruments implemented by the Philippines.

The DA-BFAR, with the cooperation of the Department of Environment and Natural Resources, Protected Areas and Wildlife Bureau, and LGUs are committed to promote the protection of other marine species caught in tuna fishing. It will conduct continuous monitoring of bycatch through observers and port landing and make it a condition for vessels to maintain a logbook of associated species caught in tuna fishing.

5.1.3 Integrated Monitoring, Control and Surveillance

One of the key pillars of fisheries management and enforcement in the Philippines is monitoring, control and surveillance (MCS). An MCS system is established by DA-BFAR in coordination with LGUs, Fisheries and Aquatic Resources Management Council (FARMCs), the

private sector and other agencies concerned to ensure that fisheries and aquatic resources in Philippine waters are judiciously and wisely utilized, managed, and conserved for the benefit and exclusive enjoyment of Filipinos.

The Philippine MCS system for fisheries has land, sea and air components. The land component involves the acquisition of communication, and vessel tracking equipment, as well as the establishment of national and regional MCS Coordination and Operation Centers (and Fisheries Monitoring Centers) in strategic fishing areas. The sea component of this MCS system pertains to the deployment of patrol vessels in the different regions in the Philippines which has resulted in the successful deterrence and arrest of fisheries offenders. The *Bantay Dagat,* as a form of community-based surveillance, is also an integral part of MCS for fisheries in the Philippines. In addition, other MCS-related measures are being implemented by the country such as the logbook system, a national observer program, transshipment declaration, vessel monitoring system, and port State control. These measures are integrated with other measures such as fishing vessel registration and licensing, marking of fishing vessels and gears, data collection, and catch certification, as well as data collection for more effective monitoring of fisheries resources in the Philippines.

5.1.3.1 Logbook System

Philippine-flagged vessels fishing for tuna are required to complete and submit fish catch report and logbook sheets for every fishing trip. Fish catch reports not only provides the basic details of the vessel, but more importantly records the specific coordinates of the vessel during its fishing operations, the duration of the fishing activity, and the volume of catch per species. Logbooks for purse seine, ringnets, and handline vessels provide for the record of retained (by weight) for each species of tuna. Completion and submission of logsheets is a pre-requisite in obtaining catch certificates for tuna bound for international trade.

The Philippines will continue to strengthen the logbook system by integrating it with other MCS measures such as observer program, catch certification, and port State measures. The DA-BFAR will also enhance its system of data collection and analysis by maintaining a repository of logbook data and analyzing it with fisheries information collected through other monitoring measures.

5.1.3.2 Regulations on Transshipment at Sea

For purposes of monitoring and preventing laundering of catch, international measures generally encourage the conduct of transshipment activities in port; however, it is also recognized that transshipment at sea is inherent in some fishing operations, such as those in the Philippines. In order to ensure proper monitoring catch in the Regulations are therefore necessary to in order to ensure proper monitoring of transshipment activities at sea.

Consistent with general international regulations on transshipment at sea, the Philippines requires vessels conducting transshipment at sea, especially those whose fish or fish products

are bound for the EU, to fill out a transshipment declaration providing details of the vessels involved, the location of the fishing ground and time and date of transshipment, the species and weight of fish transshipped, the state of the fish (fresh/chilled/frozen). The transshipment declaration is signed by the vessel master of the transporting and receiving vessel. The Philippines is also committed to continuously monitor transshipment at sea through other MCS measures such as the observer program.

5.1.3.3 National Fisheries Observer Program

The Philippines has commenced implementation of the National Fisheries Observer Program (NFOP) through DA-FAO 240 which covers not only high seas fishing activities but also fishing in the EEZ. The NFOP considers science, technical, compliance, practical, and economic elements of the tuna fishery. This means that observers are given the right to collect data on catch and effort of target species and bycatch, and collect biological samples of fish. They are also given the duty to monitor the compliance of vessels with fisheries laws and regulations and regional conservation and management measures by confirming the position of the vessel while it is engaged in fishing and by validating logbook data and other relevant documents. The observer program is supported and closely participated in by the tuna fishing industry. There are ongoing training activities for observers, which are usually conducted by DA-BFAR twice a year.

The Philippines is committed to implement and enhance its national observer program consistent with regional observer programs particularly that established under the WCPFC. The DA-BFAR will continue to train observers to facilitate proper reporting and verification of data and ensure compliance of tuna fishing vessels with regional conservation and management measures. The Philippines estimates that a total of 150 observers are required to ensure a full implementation of the observer program.

5.1.3.4 Vessel Monitoring System

Support infrastructure and facilities are now in place for the implementation of the vessel monitoring system (VMS) particularly for vessels conducting activities on the high seas (see 5.2.6). Under this system, all vessels fishing for tuna outside Philippine jurisdiction are required to install a transponder in order to provide real-time information on the location of vessels in the Philippine EEZ.

Consistent with a phased approach to the development of VMS, the Philippines is committed to apply similar monitoring measures to vessels fishing for tuna in the Philippine EEZ.

5.1.4 Port State Measures

Port State measures are effective means to ensure that only tuna obtained legally are landed in port. Such measures are considered to supplement measures to control fishing activities in Philippine waters and enhance flag State enforcement.

5.1.4.1 Port State Measures for Transshipment Operations of Foreign Fishing Vessels

The Philippines has designated Davao Fish Port Complex as the sole transshipment port for foreign fishing vessels. A number of measures have been adopted to regulate the activities of foreign vessels in port, such as requirements for advanced notification of port entry and prior departure clearance, and inspection of fishing vessels, catch and relevant documents such as fishing vessel licenses and catch certificates. These port procedures are publicized and contained in Fisheries Administrative Order No 199. Such procedures are largely consistent with agreed port State measures established under regional fisheries management organizations as well as the 2009 FAO Port State Measures Agreement to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing. Catch documentation schemes implemented by regional fisheries management organizations also form an integral part of port State functions on transshipment.

In recognition of the importance of port State measures to address IUU fishing, the Philippines will strengthen its port State scheme to ensure that all vessels calling into the Davao Fish Port Complex have obtained their tuna catch through legal means. Such transshipment and landing are prohibited if foreign fishing vessels have undermined national and international conservation and management measures. One aspect of the port State scheme that requires strengthening is with respect to port enforcement actions taken against foreign fishing vessels identified by a regional fisheries management organization as having conducted IUU fishing. The Philippines will look into the application of more stringent measures against these vessels such as denying their entry into port, prohibition of landing and transshipment, and prohibition of the importation of their fish. The Philippines will further ensure that port State measures are applied in a fair, transparent, and non-discriminatory manner, and in cooperation with other States. Such measures will apply to the Davao Fish Port Complex, as well as any other ports in the country where foreign fishing vessels are (or will be) allowed entry.

The Philippines is also committed to work towards the ratification of the FAO Port State Measures Agreement to strengthen cooperation with other States in addressing IUU fishing.

5.1.4.2 Port State Measures for Domestic Fishing Vessels

General port State measures apply to domestic fishing vessels, such as recording of catch by fisheries enumerators, inspection of catch, vessels and gears, and inspection of compliance with food hygiene and safety standards. These measures are applied within the limited capacity of local governments and fish port authorities. As discussed in 5.1.3.1 above, vessels are also required to declare their catch upon landing in port, which is verified by authorized BFAR personnel.

The DA-BFAR will increase cooperation with relevant government agencies, port authorities, and local communities to ensure that tuna caught and landed in port by domestic vessels have not been sourced through IUU fishing. Monitoring of port landing will be enhanced for purposes of

more effective data collection and to detect possible infringement of fisheries-related laws and regulations.

5.1.4.3 Catch Retention and Landing

All purse seine fishing vessels operating in the Philippine EEZ will be required to retain on board and in port all bigeye tuna, and shall be subjected to the regular monitoring program by NSAP and the National Fisheries Observer Program.

In order to ensure proper monitoring of tuna resources, the BFAR will make it a condition of a license to retain on board and in port all bigeye tuna. Adequate sanctions will be applied for failing to meet this license condition.

5.1.5 Fishing in Navigation Areas and Around Data Buoys

Fishing activities are either prohibited or regulated in areas used for commercial navigation to prevent fishing gears from becoming hazards to navigation. Another identified concern for fishing vessels is the possible interference with data buoys which are deployed by international organizations in the Philippine EEZ for purposes of gathering oceanographic and meteorological related data.

There is a need for the Philippines to identify and create a database on the location of data buoys. The DA-BFAR will cooperate with government agencies responsible for the deployment of these data buoys. Fishing vessels will be notified of the location of these buoys on a regular basis. Regulations prohibiting fishing around data buoys will be adopted to prevent damage, such as encircling the buoy with fishing gears, tying them up or attaching them to vessels or fishing gears, or cutting a data buoy anchor line.

5.2 Effective Control of Activities Philippine flagged Vessels in Areas beyond National Jurisdiction[1]

The management measures provided in this part of the Plan apply to Philippine flagged vessels that have access to areas beyond Philippine jurisdiction on the basis of bilateral access arrangements and through participation in regional fisheries management organizations.

5.2.1 Control of Fishing Effort and Capacity

Similar to measures implemented in Philippine waters, a number of measures are implemented by the Philippines consistent with international conservation and management measures to

[1] Measures adopted under this section may be subject to regular change in light of management decisions adopted by relevant regional fisheries management organizations such as IOTC, ICCAT, CCSBT, and WCPFC, as well as fisheries laws and regulations of coastal States where Philippine-flagged vessels are given access.

ensure proper conservation and management of resources on the high seas and to exercise effective control over vessels flying its flag.

5.2.1.1 International Fishing Permits

All fishing vessels wishing to conduct fishing operations outside Philippine waters are required to obtain an International Fishing Permit (IFP). In addition to compliance with applicable safety, manning and other standards for the seaworthiness of vessels, those fishing in areas outside the jurisdiction of the Philippines are also required to adhere to international and regional conservation and management measures, as well as the fisheries regulations of States in waters of which such vessels are given access.

The terms and conditions of IFPs would need to be clearly set out consistent with the obligations of the Philippines and its fishing vessels under bilateral and multilateral fishing access agreements. The international fishing permits will be amended to accommodate changes to these terms and conditions. These terms and conditions may include allowable catch, reporting conditions, compliance with logbook systems, vessel monitoring systems, and observer program, boarding and inspection and import and export control.

5.2.1.2 Control of Access in Coastal State Jurisdiction

Vessels accessing fisheries resources within the jurisdiction of other coastal States are required to abide by the regulations of that coastal State as well as all the terms and conditions of access. Providing for the terms and conditions of foreign fishing access is part of the sovereign rights of coastal States in their exclusive economic zone.

In addition to abiding by conditions of the international fishing permit, Philippine-flagged vessels fishing for tuna resources in areas under the jurisdiction of other States under access arrangements, particularly in the Pacific ocean are required to abide by the harmonized minimum terms and conditions of access, as well as other regulations imposed by the coastal State including acceptance of observer onboard, vessel monitoring system, and catch landing requirements, among others.

5.2.1.3Record of Fishing Vessels

The Philippines maintains a list of vessels authorized to fish in areas beyond national jurisdiction, in particular those which have been given International Fishing Permits. Only vessels in the regional record of vessels are entitled to fish in areas under the competence of regional fisheries management organizations. The list of authorized vessels is updated and submitted to the Secretariats of relevant fisheries management organizations on an annual basis, or as required by such organizations.

The information included on the record of fishing vessels will be reviewed and updated on a regular basis by DA-BFAR in cooperation with MARINA and other relevant agencies. Such information will be submitted to relevant regional fisheries management organizations as

required. Compliance of vessels on the record with regional conservation and management measures will be regularly monitored by DA-BFAR.

5.2.1.4 Limitation of Fishing Effort and Capacity[2]

Limitations in fishing effort and capacity of Philippine flagged vessels conducting operations outside national jurisdiction are generally provided under bilateral access agreements, domestic fisheries regulations, and relevant regional fisheries management organizations. For example in ICCAT, the capacity limitation for bigeye tuna fishing by vessels larger than 24 meter LOA is 8 longline vessels. ICCAT also provides that the Philippines may be allowed two additional longline vessels to fish for bigeye tuna in the Convention area only in 2010 and 2011. The total allowable catch for swordfish provided to the Philippines is 50 tons from 2010-2012. For southern bluefin tuna, the CCSBT has provided the Philippines a total allowable catch of 45 tons for 2010 and 2011.

As at 2012, in the western and central Pacific, limit in fishing effort is provided in WCPFC Conservation and Management Measure 2008-01 (extended by CMM 2011-11). For bigeye tuna, the Philippines is required to obtain a 30% reduction in catch from 2004 level or 2001-2004 average. No increase in fishing mortality is allowed for yellowfin tuna beyond 2004 level or 2001-2004 average. Tuna fishing vessels conducting operations in areas beyond national jurisdiction, and in particular the EEZ of Pacific Island States, are required to comply with the Vessel Day Scheme in PNA Countries. The VDS limits total days fished in the EEZ of PNA members to no greater than 2010 levels.

A number of limitations also apply to the access of Philippine vessels on the high seas under CMM 2011-01. The WCPFC High Seas Pocket No 1, an area bounded by the EEZs of the Federated States of Micronesia, Republic of Palau, Indonesia and Papua New Guinea, is open for fishing to traditional fresh/ice chilled fishing vessels operating as a group. The total catch of these vessels shall not exceed the equivalent validated vessel days fished on the high seas. The Philippine vessel limit for this high seas pocket is 36 vessels. Other MCS requirements apply to these vessels as discussed in succeeding sections, such as those with respect to catch reporting, VMS, and observer program.

The Philippines is committed to the implementation of measures adopted by relevant regional fisheries management organizations on limitations in fishing effort and capacity. In implementing regional objectives and measures, the Philippines will also assess the impact of such limitations on the socio-economic development of the fishing industry and make necessary adjustments to such measures to address any negative impact. If regional measures pertaining to allocation and access to resources are deemed prejudicial to the country's established rights over marine resources and are considered detrimental of the development of the tuna industry,

[2] Limitation on fishing effort and capacity at the regional level is subject to change. Regular update of such information is necessary and may be done by checking the website of relevant regional fisheries management organizations.

immediate steps will be taken to inform the relevant regional fisheries management organizations of such circumstances.

5.2.3 Regulation of Transshipment at Sea

Transshipment activities in high seas areas are generally limited in port in order to prevent laundering of tuna, particularly in ICCAT and WCPFC. However, transshipment at sea is also allowed in areas managed by relevant regional fisheries management organizations subject to a number of conditions.

The CCSBT for example, requires carrier vessels that receive southern bluefin tuna transshipments at sea to be authorized and for a CCSBT observer to be on board the carrier vessel during transshipment. Similarly, the IOTC requires prior authorization for transshipment activities at sea and observers on board vessels to comply with catch documentation scheme. The transshipment programs of IOTC, ICCAT, and CCSBT implement harmonized schemes. An ICCAT or IOTC observers on transshipment vessels authorized to receive southern bluefin are deemed to be CCSBT observers, provided that the CCSBT standards are met.

In the case of the WCPFC, transshipment at sea is permitted but only by existing group seine operations composed of small purse seine boats (fish hold capacity of 600 mt or less) flagged to Papua New Guinea and the Philippines, as long as they meet the following conditions: (a) operate in tandem with freezer carrier boat/s to freeze the catch or if operating closer to base with ice carrier boat/s to store the fish; (b) operate as one group together with their support vessels such as freezer carrier boat/s and/or ice carrier boat/s; and (c) undertake transshipment when refrigerated or other ice carrier boats dock alongside catcher boats and tranship fish from the catcher boats.

Only authorised transhipment of catch at sea consistent with Philippine regulations, coastal State regulations, and regional conservation and management measures may be undertaken. Vessels are also required to complete a transshipment certificate for every transhipment activity. These transhipment certificates are validated by the DA-BFAR and reported to relevant regional organisations.

5.2.4 Catch Retention and Landing

All purse seine fishing vessels operating on high seas areas managed by relevant regional fisheries management organizations are required to retain on board and in port all bigeye tuna, and shall be subjected to the regular monitoring program by NSAP and the National Observer Program.

In addition to existing port State measures, the Philippines will develop regulations pertaining to catch retention and landing consistent with regional measures.

5.2.5 Regional Observer Program

The Philippines participates in regional observer programs established by regional fisheries management organizations. Vessels on the high seas and those fishing in areas under the jurisdiction of other States are required to accept observers onboard vessels in accordance with the procedures established in relevant regional fisheries management organizations. Philippine flagged vessels are also required to cooperate with the observers in order to ensure that their duties are undertaken in an efficient manner. The rights and obligations of both observers and fishing vessels are clearly provided in regional observer programs established under regional fisheries management organizations. These regional organizations also provide for cross-endorsement or mutual recognition of observers, particularly those with overlapping areas of competence or share similar stocks.

As previously discussed, the Philippines has established a National Fisheries Observer Program (NFOP) under DA-FAO 240. The NFOP covers all commercial fishing boats/catcher boats that target tuna species operating with major fishing gears and conducting transshipment on the high seas. Under the DA-FAO 240, all purse seine, longline and transshipment vessels conducting fishing operations on the high seas shall not engage in fishing without a duly authorized RFMO or NFOP observer on board. The level of observer coverage should be in compliance with the requirements of relevant regional fisheries management organizations such as the IOTC, ICCAT, CCSBT, and WCPFC. The regulations on the NFOP also provides for the specific terms of reference and guidelines for the implementation of the NFOP, and code of conduct of observers.

Philippine traditional fresh/ice chilled fishing vessels which are allowed to fish in High Seas Pocket No 1 in the western and central Pacific are required to have on board regional observers for the entire duration of their fishing activities in this high seas area.

The Philippines will continue to participate in regional observer programs and develop and strengthen its national observer program consistent with regional requirements. Cross-endorsement of observers between relevant regional fisheries management organizations will also be recognized. Fishing vessels will be made aware of existing arrangements on observers between regional fisheries management organizations.

5.2.6 Vessel Monitoring System

Part of the vessel monitoring system of the Philippines is the requirement for vessels fishing outside Philippine jurisdiction to carry a transponder that complies with the DA-BFAR VMS. In fishing activities conducted under bilateral access arrangements, the installation of a transponder or automatic location communicator, as well as the provision of VMS data is a requirement to obtain an authorization to fish, such as in the fisheries access arrangements with Pacific Island States. Relevant regional fisheries management organizations such as IOTC, ICCAT, CCSBT, and the WCPFC have established vessel monitoring systems which all Philippine-flagged vessels fishing on the high seas are required to comply with.

The Philippines has commenced its implementation of the Vessel Monitoring System through DA-FAO 241. The VMS applies to all licensed Philippine flagged commercial fishing vessels (e.g. purse seine, longline, ring net, trawlers, other fishing gears, and fish carriers and transshipment vessels authorized by DA-BFAR to operate on the high seas and those vessels with access rights to fish in other countries' EEZ. These vessels are required to install an approved Automatic Location Communicator (ALC) or Mobile Tracking-Transceiver Unit (MTU). A vessel is also required to keep the ALC activated at all times from the time it leaves the port and shall report its position to the Philippine Fisheries Monitoring Center at least six positions or more per day or from six to 24 positions a day. Traditional fresh/ice chilled fishing vessels operating in High Seas Pocket No 1 are required to be equipped with an ALC consistent with regional requirements.

The Philippines will continue to implement the VMS particularly for those vessels fishing outside Philippine waters. The phased approach to the application of VMS starts from vessels fishing on the high seas. The Philippines will also strengthen its capacity to implement the VMS by conducting training for its staff on the legal and technical aspects of the system.

5.2.7 Entry and Exit Position Reporting

In addition to automatic transmission of location under the VMS, vessels fishing on the high seas, particularly the traditional fresh/ice chilled fishing vessels are required to report entry and exit positions to the WCPFC at least 24 hours prior to entry and no more than 6 hours prior to exiting High Seas Pocket No 1. The information may also be transmitted to adjacent coastal States/Territories. Reporting should follow the following format: VID/Entry or Exist: Date/Time; Lat/Long.

The Philippines will continue to exercise effective jurisdiction over vessels flying its flag and conducting fishing activities outside its jurisdiction, by ensuring that its vessels adhere to all relevant conservation and management measures. The country will facilitate the location reporting of its vessels to BFAR, which will facilitate the submission of position data to WCPFC or any other regional organization that will adopt similar measures.

5.2.8 Boarding and Inspection on the High Seas

While the Philippines has not established a boarding and inspection regime on the high seas, it needs to ensure that all fishing vessels conducting operations on high seas areas managed by relevant regional fisheries management organizations are informed of their rights and obligations in accepting boarding and inspection officers. The Philippines would also need to ensure that as a flag State it is properly notified of any request to board and inspect its fishing vessels. Further, the country is required to conduct investigation on the alleged violations of its fishing vessels as reported by boarding and inspection authorities. The Philippines would also need to inform its fishing vessels of the result of the investigations.

The Philippines will cooperate with other States in implementing boarding and inspection regime of relevant regional fisheries management organizations. It will develop guidelines detailing the rights and obligations of vessel masters and crew in accepting boarding and inspection officers and ensure that regulations on boarding and inspection are properly publicized.

5.2.8 Port State Measures

Philippine flagged fishing vessels calling into other ports to land, transship and process tuna would need to comply with the requirements of other port States. Since coastal States exercise sovereignty over their ports, it is expected that different measures will apply in various ports. The vessels would need to be aware of and comply with domestic regulations on port State measures. Some of these port State measures include advanced notification of port entry, inspection of safety of fishing vessels, documents, gears and catch, and reportorial requirements. Under international law, port State measures have the right to take enforcement actions for alleged infringement, including by prohibiting the landing of fish and denial of port entry, except in cases of distress or *force majeure*.

The Philippines will assist Philippine flagged vessels in understanding and complying with port State measures by publicizing such measures into a language understandable by all relevant stakeholders, particularly vessel masters and crew.

5.2.9 Charter Vessels

The activities of all carrier vessels conducting fishing activities outside Philippine waters but chartered from other States are primarily the responsibility of the Philippines as the chartering State. On the other hand, vessels chartered from the Philippines by other flag States become integral part of the domestic fleet of the chartering State. Even if the primary control lies on the chartering State, it does not preclude the Philippines as a flag State from ensuring that chartered vessels do not serve as conduits to IUU fishing.

Charter arrangements are mainly private agreements formed under domestic regulations. However, to ensure that such arrangements do not promote IUU fishing activities or undermine conservation and management measures, flag and chartering States are required to report the existence of any chartering arrangements to relevant regional fisheries management organizations.

The Philippines will ensure that all chartering arrangements involving Philippine vessels are notified to relevant regional fisheries management organizations. With the cooperation of MARINA and other relevant authorities, the DA-BFAR will ensure that chartered vessels comply with requirements set by the coastal State and regional organizations. This shall be a key condition in renewing leases and charters of fishing vessels.

5.2.10 Catch and Trade Documentation

The two regional schemes to document fish and fish products that enter trade are trade documentation and catch certification. The Philippines participates in catch and trade documentation schemes of regional fisheries management organizations. ICCAT, IOTC, and CCSBT have adopted trade documentation programmes and use comparable statistical and trade document forms particularly for bigeye tuna, southern bluefin, swordfish, and other species. It is a requirement for all vessels catching such species to obtain trade documents and have them validated by the Philippines as a flag State and relevant port State authorities. Such regional measures are implemented to identify the source of tuna and ascertain levels of unreported fishing.

The Philippines will continue to implement trade document schemes and work towards the use of electronic catch and trade documents. The establishment of an electronic trade documentation system will be consistent with the relevant provisions of the Electronic Commerce Act of 2000 (RA 8792), particularly on the confidentiality of information.

5.2.11 IUU Vessel Listing

Tuna regional fisheries management organizations have adopted similar measures to list vessels engaged in IUU fishing. Vessels, whether flagged under parties or non-parties to regional organizations, may be placed on the IUU Vessel List, if there is sufficient evidence to suggest, (through boarding and inspection, observer program, coastal State monitoring, and port State measures) that they have conducted activities that undermine agreed conservation and management measures. A vessel presumed to have conducted IUU fishing are listed on a Provisional IUU Vessel list and are given the opportunity, through its flag State, to provide evidence that it has not conducted IUU fishing. If it has been established that the vessel has conducted activities contrary to agreed management measures, the onus is on the flag State to prove that it taken sufficient measures to address such breach according to IUU listing procedures and to the satisfaction of the members of the regional fisheries management organizations. In the absence of effective flag State responsibility and sufficient evidence to prove that the vessel has not conducted IUU fishing, such vessel may be listed in the final IUU Vessel List. Regional fisheries management organizations recognize and exchange IUU Vessel Lists to encourage their members and fishing industry not to engage with those involved in IUU fishing.

Vessels on the IUU list are removed from the regional record of fishing vessels and will not be entitled to fish in the area of competence of the regional fisheries management organization. A vessel may only be removed from the IUU Vessel List if there is sufficient evidence that the owner and operator of the vessel no longer has any financial or legal interest in the vessel, if the vessel has been scrapped, and/or if the flag State has taken sufficient measures to address the wrongdoing of the vessel.

One critical measure to be noted is the listing of vessels on the basis of association with IUU vessels by means of ownership. The WCPFC has adopted Conservation and Management

Measure 2010-06 which provides for the listing of IUU vessels ("underlying vessels) and any other vessel affiliated with the underlying vessel by reason of ownership. This measure is believed to have a significant economic repercussion to the commercial tuna fishing industry in the event that a Philippine-flagged vessel is placed on the IUU list. To date no Filipino vessel has been included on the IUU Vessel List.

The Philippines will exercise effective control over vessels flying its flag, particularly those fishing in international waters. There will be increased monitoring of Philippine-flagged vessels through observer programs, more effective port State measures, strict implementation of the logbook system, and vessel monitoring system. The Philippines will also cooperate with other States, through regional fisheries management organizations, to combat IUU fishing. In addition to proper monitoring, the Philippines will discharge its responsibility as a flag State by assisting its fishing vessels to comply with regional conservation and management measures, and by facilitating the submission of required fisheries data to the secretariats of the organizations, including necessary evidence to prove that the vessel has not engaged in IUU fishing.

5.3 Trade and Market of Tuna and Tuna Products Originating from and/or Processed in the Philippines

As highlighted in Part II of the Plan, the Philippines has a significant trade in tuna and tuna products. Because of the commercial importance of tuna fishery and its economic contribution to the Philippine fishing industry, particularly in the southern Philippines, it is critical to adhere to trade measures within the framework of the General Agreement on Tariffs and Trade (GATT) and WTO Agreements. These trade measures, as they apply to fisheries, promote trade liberalization and focus on three strategic objectives, namely maintaining food safety and quality, ensuring food security, and sustainable utilization of fisheries resources.

The current trend in the world trade of tuna suggests two key requirements necessary for export. First is the application of sanitary and phyto-sanitary measures and the second is catch certification. The adoption of an eco-labelling scheme, which is more of a market rather than a trade measure, is also increasing in international significance because of growing concerns on fish products being sourced from unsustainable fisheries.

5.3.1 Sanitary and Phytosanitary Measures and Commodity Clearance

One of the general principles in the trade in fish and fish products is that the handling, processing and distribution of fish must be carried out in a manner that will maintain the nutritional value, quality, and safety of fish products. The key international instrument to implement this principle is the WTO Agreement on the Application of Sanitary and Phyto-sanitary Measures. Other standards also apply such as the Hazard Analysis and Critical Control Points (HACCP) and other quality assurance and control systems such as Codes of Good Hygiene Practices (GHP) and Good Manufacturing Practices (GMP), as well as International Organization for Standardization (ISO) quality management. All tuna and tuna products from the Philippines

that enter international trade undergo quality control and assurance programs consistent with these codes of practice. However, similar standards are yet to be applied in the domestic market and trade of tuna products involving small scale operations or municipal tuna fishery.

Apart from catch certificates (discussed below), the Philippines provides for the issuance of appropriate clearances for the trade of aquatic wildlife, such as regular and export clearances, CITES clearance, SPS import clearance, and re-export clearance under FAO 233 on Aquatic Wildlife Conservation, as amended by FAO 233-1. These clearances are issued to CITES-listed species and the list of economically important aquatic organisms. Tuna species covered in this Plan are listed as economically important aquatic organisms under these DA-FAOs.

The Philippines will continue to maintain food safety standards consistent with international codes of practice through regular monitoring of post-harvest activities and industry facilities. In order to further increase the global competitiveness of the tuna fishing industry, the Philippines will also develop the capacity of the local tuna fishing industry for international trade. This means developing best practice for the industry which can be used by other members of the fishing industry, especially those involved in small scale tuna fishery. The Philippine government will also provide technical and financial support, where available, to improve local port facilities and systems to promote proper handling and processing of tuna. Local fisherfolks and fishing vessels engaged in small scale and artisanal tuna fishing will be encouraged to access these ports. A significant factor in the development of small scale tuna fisheries is the impact of fishing activities on biodiversity and health of stocks. The Philippines will ensure that development of fisheries at the local level maintains international trade and environment standards.

5.3.2 Catch Certification and Traceability Schemes

Apart from trade documentation schemes implemented by regional fisheries management organizations, the Philippines is witnessing the adoption of new rules governing the export of fish to major markets such as in the EU and the United States to prevent the trade of IUU-caught fish. One key feature of the EU regulation to combat IUU fishing (EC No 1005/2008) is the requirement for all fishery products to be accompanied by a catch certificate as a precondition for importation. A catch certificate is to be completed by the master of the fishing vessel and validated by the flag State. Any indirect importation or exportation of fishery products is also subject to validation of a catch certificate by the competent authorities of the flag State. For the Philippines, this involves the development of catch certificates containing all information required by the EU, as well as a validation system in accordance with EU standards. The EU IUU regulation also provides for the listing of approved economic operators which are certified to import fish, including tuna, into EU territories.

The Philippines, through DA-FAO 238 on rules and regulations governing the implementation of EU catch certification scheme, is in full compliance with the catch certification requirements of the EU and its major tuna exporters are listed as approved economic operators. This regulation

ensures the traceability of fish products and guarantees that only products which are obtained through legal means and not involved in IUU fishing are issued catch certificates. This regulation applies to all marine aquatic species or fishery products except those listed in Annex 1 of the EU IUU regulation. It applies to all Philippine-flagged fishing vessels that either directly supplies raw materials to EU members or supply raw materials to canneries, processors, or exporters for final trade to the EU.

In addition to the catch certification system for EU-bound products, the country implements a traceability or product tracing scheme to follow the movement of fish through different stages of production, processing, transport, storage and distribution. The logbook system, licensing, and transshipment certification are integrated with the catch certification system in order to ensure that all fish that enter international trade have the proper documents.

The Philippines is in the process of developing and implementing a fully automated catch documentation system which is compatible with regional and EU requirements. To enhance trade of tuna in different areas in the country, the DA-BFAR in collaboration with fisheries development authorities and LGUs will investigate the application of catch certification system not only for export bound tuna, but also for the domestic market. This will ensure that tuna exports are obtained from legal means.

5.3.4 Other Measures: Eco-labelling Initiatives

Eco-labelling in fisheries is a market-based measure which aims to influence consumer preference and behavior in purchasing fish based on sustainability considerations. According to the FAO Guidelines on Eco-labelling, "eco-labelling schemes entitle a fishery product to bear a distinctive logo or statement which certifies that the fish has been harvested in compliance with conservation and sustainability standards." It is a voluntary mechanism which needs to be consistent with international trade rules and principles and based on best scientific evidence available. These eco-labelling schemes are not meant to be disguised barriers to trade.

In 2011, the World Wildlife Fund for Nature (WWF), in collaboration with DA-BFAR, LGUs, the Government of Germany, Bluebayou Consultancy, European seafood companies and their counterpart local suppliers of tuna have introduced eco-labelling schemes to handline fisheries through the Partnership Programme Towards Sustainable Tuna. This four year project, which is based on standards set by the Marine Stewardship Council (MSC), aims to bring together major players in the handline fishing industry such as fishers, traders, processors, importers, retailers, and even scientific institutions to promote the supply of responsibly-caught tuna from well managed fisheries. The project sites for this programme are located in Mindoro Occidental and in Lagonoy Gulf involving about 4,000 small boats and a market demand of 3,000 metric tons of tuna.

The Philippines will encourage LGUs to participate in this initiative and if possible, continue or establish similar programs that will promote small scale tuna fisheries using sustainable fishing

methods. It will also explore the possibility of extending the application of eco-labelling schemes to other tuna fisheries.

6. Fisheries Data Collection and Management

There have been significant developments in the area of fisheries data collection in the Philippines. Fisheries data is collected primarily through regular port sampling conducted under the National Stock Assessment Program (NSAP) in major landing sites and statistics gathered by the Bureau of Agricultural Statistics. Some of the data collected in port sampling include species composition, length frequency, and catch and effort. Increased port sampling was achieved in 2009 through the West Pacific East Asia Ocean Fisheries Management Project (WPEA-OFMP). The catch documentation scheme implemented by DA-BFAR is also a source fisheries data, which includes catch and effort logsheets for purse seine and ringnet vessels. Apart from data obtained from fishing vessels, DA-BFAR also requires canneries to submit monthly unloading data. The TUFMAN and PECAN database systems are used to process data from logsheets and cannery receipts, respectively. The national observer program, catch certification, and vessel monitoring system are also important sources of fisheries information, including compliance by fishing vessels. The data gathered by observers for example, may be verified against the NSAP data. Regional offices can also utilize data collected by observers for their own statistical analysis. Other projects on tuna fisheries, both local and foreign funded, have also contributed to the improvement of fisheries data collection and analysis in the Philippines.

Because of a number of agencies involved in data collection, the Philippines recognizes that the data obtained by such agencies may not be sufficient for purposes of stock assessment, if such data are analyzed separately. It is also acknowledged that integration of all fisheries data is a complex process. Hence, DA-BFAR and DA-BAS, as the main data collection agencies will continue to cooperate in finding appropriate methods for effective data collection (e.g. parametric method). Both agencies will also examine different options to address difference in approaches to data gathering and interpretation, such as delineation of functions, expansion of data collection functions, or identification of areas of collaboration between DA-BFAR and BAS. Data collection activities in Region I may be a good example of how BAS and NSAP data may be integrated.

As the Philippines moves towards the integration of fisheries data collected from various sources such as logsheets, cannery reports, port landing, observer program, catch certification, and monitoring system, it will also address other relevant issues such as the confidentiality of information.

7. Fisheries Research

A number of researches focusing on tuna fisheries have been and are being conducted by DA-BFAR and other agencies. One of the most recent research projects includes the WPEA-OFMP, which aims to strengthen national capacities and international cooperation on the conservation and management of highly migratory fish stocks in the West Pacific Ocean and East Asia

(involving Indonesia, the Philippines and Vietnam). The project includes catch monitoring, data enhancement, fishery assessment, and policy and institutional strengthening. Other research includes gonadal maturity studies for major tuna species, namely yellowfin, bigeye and skipjack. Other research are looking into the genetic stock structures of yellowfin and bigeye tuna and effects of mesh size and net depth to catch composition and size structure of tunas. Studies have also been conducted on the status of fisheries and habitats in the Sulu-Celebes Sea and an assessment of the issues confronting handline fisheries in the Philippines.

There is a need to develop a long term research agenda for tuna fisheries management, which includes stock assessment, harvest strategies, environmental impact, post harvest development, and trade and market mechanisms. The NFRDI, with the assistance of other agencies, the fishing industry and academic institutions, is the key driver to these research undertakings. Hence, the Institute will take the lead in collating results of relevant research projects and in identifying areas where research is still lacking. It will facilitate collaboration with other government agencies, academic and research institutes, and the fishing industry. The NFRDI will coordinate efforts amongst like-minded institutions and explore avenues for external funding in order to supplement research conducted in the Philippines. Some of the key areas of research that the Philippines would need to conduct include the determination of MSY and reference points for major tuna resources. Other emerging concerns such as the potential impact of climate change on tuna fisheries may also be addressed through research.

8. Consultation with Stakeholders

The development and revision of the National Tuna Management Plan is done in partnership with the tuna fishing industry. The comprehensive scope of the Plan calls for wide stakeholder consultation and participation. The National Tuna Industry Council, the SOCKSARGEN Federation of Fishing and Allied Industries Inc (SFFAII), various cooperatives, fisherfolks, and non-governmental institutions are some of the key stakeholders in achieving the goal of effective management and conservation of tuna resources in the Philippines. Various mechanisms are established by the government to be used as avenues for public consultation and dissemination of information, such as national and municipal FARMCs.

The Philippines, through the DA-BFAR, will ensure that all relevant stakeholders are consulted prior to the adoption or any revision of the National Tuna Management Plan. No decision will be taken on matters of allocation of resources without prior consultation, through public hearing with the NTIC or FARMCs as appropriate. The adoption of any conservation and management measure consistent with regional and international obligations will be publicized to the fishing industry. If necessary, specific guidance will be provided on how such measures ought to be implemented to promote self-compliance. Part of the continuous engagement with the fishing industry is the implementation of information and education campaigns to raise the awareness of fishing companies and fisherfolks on sustainable tuna fisheries.

9. Participation in Multilateral Meetings

As party to international and regional fisheries agreements, the Philippines is actively involved in international and regional fora for fisheries. The Philippines participates in regular meetings held by regional fisheries management organizations such as ICCAT, IOTC, CCSBT, and WCPFC, and other regional fora such as APFIC, SEAFDEC, and the RPOA. Agreed conservation and management measures adopted under regional fisheries management organizations are incorporated by the Philippines in Fisheries Administrative Orders and other directives as part of discharging its obligations under international agreements.

Due to the significant interest of the Philippines in tuna fisheries, as well as its obligations and commitments under multilateral agreements, the Philippines recognizes the need to strengthen its position in multilateral negotiations. This goal is best achieved by adopting a strategic approach in negotiations, which includes preparation of issue briefs and position papers, as well as consultation with the fishing industry and all relevant agencies. The Philippines will also strengthen its position in regional discussions by engaging with other members of regional fisheries management organizations on issues affecting the Philippine tuna industry. Depending on the nature of the issues discussed in regional fora, the DA-BFAR and the NTIC will call for the establishment of special committees, if practicable, to address such concerns. Technical and legal advice will also be sought as necessary. The Philippines will also raise fisheries-related issues in bilateral and multilateral negotiations on trade.

10. Implementation Mechanism

The effective implementation of the revised National Tuna Management Plan necessitates the adoption of new Fisheries Administrative Orders and updating of existing regulations. These FAOs will give legal effect to the strategies and proposed actions contained in the Plan. Joint regulations may also be developed in collaboration with relevant government agencies in areas of mutual concern such as the implementation of ecosystem approach to fisheries, registration and licensing of fishing vessels, and fisheries enforcement. A manual for fishing operations or a set of guidelines or Guidance to the Tuna Industry may also be developed by the DA-BFAR and NTIC elaborating the requirements of regional conservation and management measures. If necessary, the Plan and any guidance developed for the tuna industry will be translated in local languages for effective reference.

The DA-BFAR, in close consultation with the tuna fishing industry, will conduct a regular assessment on the implementation of the revised National Tuna Management Plan. The DA-BFAR and NFRDI are also committed to provide sufficient financial support for the conduct of scientific research related to tuna management, and implementation and enhancement of integrated monitoring, control and surveillance.

Annex: Relevant Domestic Laws, Policies and Regulations[3]

The Constitution of the Republic of the Philippines, 02 February 1987

Key Legislation

Republic Act 8550. *The Philippine Fisheries Code of 1998,* 25 February 1998

Republic Act 7160. *Local Government Code of 1991,* 10 October 1991

Republic Act 7586, *National Integrated Protected Areas System (NIPAS) Act*

Republic Act 9147, *Wildlife Resources Conservation and Protection Act*

Policies

Department of Agriculture. Bureau of Fisheries and Aquatic Resources. *(Draft) National Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing,* 2005.

Department of Agriculture. Bureau of Fisheries and Aquatic Resources. *The Philippine National Tuna Management Plan.* November 2004.

Regulations

Department of Agriculture Administrative Order 3. *Implementing Rules and Regulations Pursuant to RA 8550*: *"An Act Providing for the Development, Management and Conservation of the Fisheries and Aquatic Resources, Integrating all Laws Pertinent thereto, and for other Purposes",* 21 May 1998

Department of Agriculture Special Order 659. *Establishing the National Tuna Industry Council*, 2000

Department of Agriculture. Fisheries Administrative Order 193. Ban on the Taking or Catching, Selling, Purchasing and Possessing, Transporting and Exporting of Whale Sharks and Manta Rays, 25 March 1998

Department of Agriculture. Fisheries Administrative Order 195. *Rules and Regulations Governing Importation of Fresh/Chilled/Frozen and fishery Aquatic Products,* 20 September 1999

Department of Agriculture. Fisheries Administrative Order 196. *Guidelines on the Creation and Implementation of Fisheries and Aquatic Resources Management Council (FARMCs)*, 21 January 2000

Department of Agriculture. Fisheries Administrative Order 198. *Rules and Regulations on Commercial Fishing,* 23 February 2000

Department of Agriculture. Fisheries Administrative Order 199. *Guidelines on Fish Transhipment,* 20 April 2000.

[3] Other relevant rules and regulations may not be included in this Annex. For an up-to-date list of relevant FAO administrative orders and other regulations, please seek guidance from the DA-BFAR.

Department of Agriculture. Fisheries Administrative Order 200. *Guidelines and Procedures in Implementing Section 87 of the Philippine Fisheries Code of 1998,* 21 August 2000.

Department of Agriculture. Fisheries Administrative Order 208. *Conservation of Rare, Threatened and Endangered Fishery Species,* 2001

Department of Agriculture. Fisheries Administrative Order 210. *Rules and Regulations on the Exportation of Fresh, Chilled, and Frozen Fish and Fishery/Aquatic Products,* 17 May 2001

Department of Agriculture. Fisheries Administrative Order 223. *Moratorium on the Issuance of New Commercial and Fishing Vessel and Gear License*, 2003

Department of Agriculture. Fisheries Administrative Order 223-1, *Extension of Moratorium on the Issuance of New Commercial and Fishing Vessel and Gear License*, 2004

Department of Agriculture. Fisheries Administrative Order 233. *Aquatic Wildlife Conservation*, 2010

Department of Agriculture. Fisheries Administrative Order 233-1. *Amending Fisheries Administrative Order No 233*, 2010

Department of Agriculture. Fisheries Administrative Order 236. *Rules and Regulations on the Operations of Purse Seine and Ring Net Vessels Using Fish Aggregating Devices (FADs) locally known as Payaos during the FAD Closure Period as Compatible Measures to WCFPC CMM 2008-01*, 2010

Department of Agriculture. Fisheries Administrative Order 238, *Rules and Regulations Governing the Implementation of Council Regulation (EC) No. 1005/2008 on the Catch Certification Scheme,* 2012

Department of Agriculture. Fisheries Administrative Order 240, *Rules and Regulations in the Implementation of Fisheries Observer Program in the High Seas,* 2012

Department of Agriculture. Fisheries Administrative Order 241, *Regulations and Implementation of the Vessel Monitoring System (VMS) in the High Seas,* 2012

Websites for Relevant Regional Fisheries Management Organizations[4]

International Commission for the Conservation of Atlantic Tunas. www.iccat.es.

Indian Ocean Tuna Commission. www.iotc.org.

Commission for the Conservation of Southern Bluefin Tuna. www.ccsbt.org.

Western and Central Pacific Fisheries Commission. www.wcpfc.int.

[4] The resolutions and conservation measures of these regional organizations are updated on an annual or biennial basis. It is best to consult the official website for an updated list of these measures.