

## HOUSE OF REPRESENTATIVES

House Bill No. 1803

Introduced by Representative Lorenzo R. Tañada III

### EXPLANATORY NOTE

The Philippine archipelago of 300,000 km<sup>2</sup> includes over 7,000 islands, spread over 1650 kilometers of ocean from north to south and 1000 km from east to west. The total coral reef area stretches at 30,000 to 44,000 km<sup>2</sup> scattered along 17,500 to 36,829 km of coastline.

Several studies have pinpointed the area of the Philippines through eastern Indonesia and around Papua New Guinea to the Coral Sea as part of the world's ocean with the most diverse coral reef species. The Indo-Malay-Philippine archipelago is host to the richest marine biodiversity where there are at least 3-5 times more species compared to that of the Caribbean, Tahiti and Hawaii. Moreover, analysis of distribution data for almost 3,000 species pinpoints the peak of biodiversity in Philippine waters.

But with the abundance of our resources comes the threats to their subsistence. Several developments threaten our marine ecosystem. These are: (1) siltation due to deforestation and bad agricultural practices; (2) coastal land development; (3) agricultural fertilizer runoff and sewage; (4) industrial pollutants; (5) destructive fishing methods; (6) overfishing and gleaning; and (7) other extractive activities such as aquarium fishing, mariculture, coral extraction, etc.

These development strategies have caused the depletion of our marine resources at a very disturbing rate. Currently, the level of fishing in our country is 30% higher than the capability of the resources to reproduce. Our harvest is way beyond the capacity of the fishery sector to regenerate. This has affected a great number of the population who depend on the sea as their main source of income. This is particularly burdensome to the municipal fishers—the decline in the volume of fisheries available means less fish to take home for their family's consumption. This also reduces their income with the decline in their catch.

While our marine resources continue to decline, our population, on the other hand, continues to grow at a pace faster than our Southeast Asian neighbors. Several studies have predicted that if our population growth persists

at the current rate, only 10kg of fisheries capture would be available per capita consumption by 2010. Therefore, managing our critical marine resources is imperative.

The local Government Code of 1991, the National Integrated Protected Areas System Act and the Fisheries Code of 1998 already provide for the establishment of community-based marine protected areas by granting the administration of the municipal waters to the local governments. However, there still is a great disproportion in the number of established marine-protected areas (439 as of 2000) and the number of coastal municipalities in the country (915 based on the latest NAMRIA survey). Thus, there is still a vast range of opportunities in establishing marine-protected areas.

While indeed the Local Government Code of 1991 grants more autonomy to local government units in managing local resources, this is perhaps one of those instances where national interest—food security, ecological sustainability and guarantee of livelihood for the small and marginalized fisherfolk—must be placed above immediate local needs.

This bill mandates every coastal municipality to establish, maintain and manage marine protected areas (MPAs) in at least 15% of their municipal waters, while preserving those MPAs which were previously set up. By making it mandatory, we send a strong signal of urgency to preserve our marine resources and give it some breathing spell, not just for the sake of the livelihood of small fisherfolk but more importantly, to ensure that there will be environmental sustainability for future generations to come.

In view of the foregoing, early approval of this bill is earnestly sought.

**LORENZO R. TAÑADA III**

Republic of the Philippines

**HOUSE OF REPRESENTATIVES**

Quezon City

14<sup>TH</sup> CONGRESS

First Regular Session

HOUSE BILL NO. 1803

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**Introduced by HON. LORENZO R. TAÑADA III**

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AN ACT

ESTABLISHING MARINE PROTECTED AREAS IN ALL COASTAL MUNICIPALITIES,  
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE  
KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998" AND FOR OTHER  
PURPOSES.

*Be it enacted by the Senate and the House of Representatives of the  
Philippines in Congress assembled:*

SECTION 1. There shall be established at least one (1) marine protected area in municipal waters of every coastal municipality in the Philippines. Marine protected area refers to any area of intertidal or subtidal terrain, together with its overlying water and associated flora, fauna, historical and cultural features, which has been reserved by law or local ordinance to protect part or all of the enclosed environment. MPAs shall be used to conserve biodiversity, manage natural resources, protect endangered species, reduce user conflicts, provide educational and research opportunities, and enhance recreational fisheries. It shall include fishery reservations, fisheries reserves, fish refuge and sanctuaries and mangrove swamp reservations.

SECTION 2. The Department shall be responsible in designating and managing marine protected areas beyond the fifteen (15) kilometers from shoreline: Provided, that marine protected areas established under RA 7586 shall continue be managed by the Department of Environment and Natural Resources.

SECTION 3. The LGU concerned, upon the recommendation of the FARMC, and with the assistance of BFAR, shall be responsible for the identification, establishment and management of marine protected areas within municipal waters with an area of at least fifteen percent (15%) where applicable of the total coastal areas in each municipality shall be identified, based on the best available scientific data. The area herein provided may not be contiguous. The fund for the establishment of MPA shall be provided by the LGU. Such MPAs shall be established within six (6) months from the approval of this Act.

An MPA at least twenty-five percent (25%) but not more than forty percent (40%) of suitable intertidal areas shall be set aside for the cultivation of mangroves to strengthen the habitat and the spawning grounds of fish. Within these areas no commercial fishing shall be allowed.

In areas where Integrated Fisheries and Aquatic Resources Management Boards (IFARMBs) are established pursuant to Section 76 of the Code, as amended, the identification, establishment and management of the marine protected areas shall be vested upon the IFARMBs.

SECTION 4. All marine fishery reserves, fish sanctuaries and mangrove swamp reservations already declared or proclaimed by the President or legislated by the Congress of the Philippines shall be continuously administered and supervised by the concerned agency.

SECTION 5. Should a LGU fail to establish an MPA as herein provided, the Mayor, the Vice Mayor and the members of the Sanggunian shall be liable for prosecution under Republic Act Nos. 3019 and 6713 and other relevant laws.

SECTION 6. Repealing Clause. – All laws, decrees, executive orders and rules and regulations or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 7. Separability Clause. – If any part of this Act is hereafter declared unconstitutional or invalid, such other parts which are not affected thereby shall continue in full force and effect.

SECTION 8. Effectivity. – This Act shall take effect fifteen (15) days following its complete publication in at least two (2) newspapers of general circulations.

Approved,