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REPORT ON THE FEBRUARY/MARCH, 1996
CITES IMPLEMENTATION WORKSHOP IN
THE PHILIPPINES

Prepared By

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Supported By

The Philippines' Protected Areas and Wildlife Bureau

Bureau of Fisheries and Aquatic Resources

USAID's United States-Asia Environmental Partnership

USAID/The Philippines Mission

CITES Secretariat

U S Fish and Wildlife Service

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A PROGRAM OF THE OFFICE OF INTERNATIONAL AFFAIRS
U S FISH AND WILDLIFE SERVICE

EXECUTIVE SUMMARY

USAID's United States - Asia Environmental Partnership (USAEP) and the U S Fish and Wildlife Service (USFWS) joined in partnerships with the wildlife management agencies of five Asian countries Bangladesh, India, Nepal, Indonesia, and The Philippines. These partnerships focused on improving the implementation and enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) in Asia, and on presenting comprehensive training workshops to this effect. CITES is an international treaty regulating trade and commerce in protected species of plants and animals. One hundred and thirty-three nations participate in this agreement, and are governed by a treaty council ("Secretariat") based in Switzerland.

The Philippines has been a signatory to the treaty since 1981, and has become an increasingly active force in Asia-Pacific CITES issues in recent years. The Philippines workshop was the last of this series, over 100 officials, from more than 12 agencies, participated there. Primary partnerships were formed with the two CITES management authorities of The Philippines. These are

The Protected Areas and Wildlife Bureau (PAWB), of the Department of Environment and Natural Resources (DENR), which governs the management of terrestrial natural resources, and

The Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture (DA), responsible for the management of maritime resources.

In 1996, The Philippines expanded CITES enforcement capabilities to account for rapidly increasing passenger and cargo traffic at several newly-opened international airports, a situation which the USAEP/USFWS partnership was specifically designed to address. To this end, training in The Philippines was conducted in Manila and other locations, with a variety of participating agencies. Instruction was tailored to the specific needs at each site, and emphasized CITES administration, wildlife inspection, investigation techniques, and species identification.

The chief objectives of this workshop were

Providing practical training to personnel charged with the enforcement of CITES, and up-to-date skills with which to carry out their duties;

Strengthening already-existing relations between U S and Philippine wildlife management agencies, and

Fostering new partnerships with and within The Philippines between PAWB, BFAR and other government agencies (such as the Bureau of Customs), in order to better support their national goals of sound wildlife management, conservation, and trade.

ACKNOWLEDGMENTS

The authors of this document wish to thank Attorney Wilfredo Pollisco, the Director of the Protected Areas and Wildlife Bureau [PAWB] of the Department of Environment and Natural Resources [DENR], and Director Dennis Araullo of the Bureau of Fisheries and Aquatic Resources [BFAR] of the Department of Agriculture [DA], for hosting the workshop, and the Philippine officials who helped plan and coordinate, and participated in this endeavor. We also wish to thank Ms. Alma Ballesfin, Chief of the Wildlife Regulation and CITES section at PAWB, and Ms. Corazon Del Mundo, Chairman of the CITES Committee at BFAR. Their tireless efforts and extensive knowledge greatly facilitated the workshop, they both handled the complicated logistics involved, and set the tone for a successful project.

USAID's United States - Asia Environmental Partnership is thanked for funding international travel costs. Instructors from the CITES Secretariat are recognized for their participation, they shared their invaluable experience of the treaty's administration, and procedures during their portion of the program. Environment Canada is recognized for providing their excellent publication, the *CITES Identification Guide to Birds* to each workshop participant. We look forward to working with each of them in the future on other such collaborations.

Lastly, but not least, the effort and coordination of the U.S. Fish and Wildlife Service's Office of International Affairs must be recognized. If not for their efforts to bring the various agencies in all of the countries together, none of the progress made to date would have been possible.

Through the efforts of all involved, we believe that the implementation of the CITES treaty within Bangladesh, India, Nepal, Indonesia and The Philippines will serve to improve its enforcement worldwide. A major goal of the international treaty is to achieve 100% cooperation from the member nations, the training provided to The Philippines brought this goal closer to realization.

INTRODUCTION

About the Workshop Series The United States-Asia Environmental Partnership (USAEP) of USAID, and the U S Fish and Wildlife Service (USFWS) joined in partnerships with the wildlife management agencies of five Asian countries Bangladesh, India, Nepal, Indonesia, and The Philippines These partnerships focused on sharing information and techniques, and presenting workshops on the implementation and enforcement of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The United States has been a member of the treaty since its inception in 1974 The Philippines has been a signatory to this treaty since 1981, and has become an increasingly active force in Asia-Pacific CITES issues in recent years

About CITES CITES is an international treaty which regulates transnational trade, commerce and movement worldwide of protected species of wild plants and animals, with 133 nations participating around the world It is governed by a treaty council ("Secretariat") based in Switzerland, which also joined in these partnerships, sending representatives to the programs in India, Indonesia, and The Philippines

Objectives The objectives of this workshop were

To provide practical training to personnel charged with the enforcement of CITES, and up-to-date skills with which to carry out their duties,

To strengthen already-existing relations between U S and Philippine wildlife management agencies, and to foster new partnerships within The Philippines between PAWB, BFAR and other government agencies (such as the Bureau of Customs), and

To enhance CITES administration in order to better support Philippine national goals of sound wildlife management, conservation, and trade - and in particular, to do so prior to their plans to decentralize and delegate some CITES administration functions throughout the nation

The Philippines is at the leading edge of natural resource and development studies in the Asia-Pacific region They host students and officials from throughout the developing world, whose role in the dissemination of appropriate wildlife and fishery management techniques in Asia and the Pacific cannot be overemphasized. There is, however, a demonstrated need for guidance and education in the enforcement programs which support resource management strategies The Philippines has expressed a need for additional training in this area of expertise A major goal of CITES is to realize the full compliance and cooperation of member nations The training provided to The Philippines brings this goal closer to realization, particularly since any successful educational program conducted in The Philippines will likely be replicated throughout the region

Funding Sources USAEP funded the travel costs for two USFWS trainers, and all shipping costs for student training materials sent from the U S. to The Philippines The USFWS Division of Law

Enforcement funded the salaries of these trainers. The CITES Secretariat funded the salaries and travel costs of their employees. Student handouts and instructors' materials were developed by the USFWS Division of Law Enforcement, and were jointly funded by that Division and the Office of International Affairs. The host agencies in The Philippines jointly funded the travel, housing and salaries of their personnel, as well as venue costs, and most equipment and local transportation expenses.

About the Philippine Program: Primary partnerships were formed with the two CITES management authorities of The Philippines. These are

The Protected Areas and Wildlife Bureau (PAWB), of the Department of Environment and Natural Resources (DENR), which is responsible for the management of terrestrial natural resources, and

The Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture (DA), responsible for the management of maritime resources

In 1996, The Philippines expanded and de-centralized their CITES enforcement capabilities to account for the rapidly increasing passenger and cargo traffic at several newly-designated or expanded international airports, with growth in excess of 50%. The training and workshop program was specifically designed to address this situation.

In January of 1995, representatives from each of five Asian countries selected to participate in the USAEP-USFWS program came to the United States for a planning and familiarization session. This included two senior staff members from PAWB. The study tour interacted with USFWS Law Enforcement personnel in Los Angeles; San Francisco, and Ashland, Oregon (the National Wildlife Forensics Laboratory). During this visit, the Asian representatives were exposed to U.S. CITES implementation, and the PAWB representatives identified their specific needs and goals for a workshop to be held in The Philippines.

To this end, training in The Philippines was planned in several segments, at various locations, with a variety of participating agencies. The curriculum was designed to complement the specific skill levels and needs of the personnel and agencies at each site, and address the prevailing modes of local commerce in wildlife.

The workshops were held between February 19 and March 11, 1996, in Manila, Cebu City, Davao, and Subic Bay. The curricula utilized lectures, videos, slides, overheads, handout materials, panel and group discussions, role-playing and competitions. Workshop subject matter emphasized CITES administration, wildlife inspection, investigation techniques, traffic analysis, and wildlife species identification.

Over 100 individuals participated in the workshops, representing 20 different agencies and bureaus, all of whom are directly or indirectly involved with CITES administration and wildlife law.

enforcement in The Philippines. In addition, a number of observers from non-government organizations and industry attended at various points during the sessions, when practicable and permissible.

BACKGROUND

The Republic of The Philippines is composed of over 7,000 tropical islands, dispersed over 300,000 square kilometers in the Western Pacific. Its population of approximately 70 million people live in 73 provinces and 61 chartered cities spread throughout the archipelago. Formerly a United States colony, it was acquired from Spain in 1898, and pacified at the end of the Philippine - American War in 1902. The Philippines gained its independence from the U.S. on July 4, 1946.

Four main groupings of these islands are discernible:

- Luzon and the northern islands, where Manila, the capital, is located,
- The Visayas, the central island group,
- Mindanao and the Southern Islands, and
- Palawan and the Western Islands.

Each area has its own particular cultures, languages, geography, climate, flora and fauna - all certainly Philippine, but distinct. A challenge to The Philippines government (and, historically, to invaders) has always been the administration of such a widespread territory.

The flora and fauna throughout the nation include species descended from three biologically distinct sources: Northeast Asia (China and Taiwan), Southeast Asia (Malaysia and Indonesia), and Australia - New Guinea. Of approximately 200 mammal species, 600 birds, 300 reptiles, and over 10,000 species of plants, many are found only in The Philippines. The nation's immense territorial waters include a reef system possessing very high biological diversity which includes both Southeast Asian and Pacific species of fish and coral (roughly speaking, the species inventory of both Indonesia and Hawaii). Many of these species are threatened with extinction. The Philippines represent an important asset to the world's biodiversity.

Threats to The Philippines' biodiversity stem from habitat loss (deforestation), and illegal trade in wildlife species. The illegal trade ranges from the collection of fish and corals for the aquarium trade, and of birds, reptiles and orchids for dealers, to the export of skins and other processed wildlife goods. There is a properly designed legal trade in non-threatened and captive-bred species, but it is undermined by illegal trafficking. CITES will support Philippine initiatives in legal trade and commerce, and help to curb the illicit traffic.

The Philippines is at the leading edge of natural resource and development studies in the Asia-Pacific region. The University of the Philippines system, for example, is respected world-wide in these fields, and hosts students from throughout the developing world to train in disciplines ranging from wildlife management to agricultural extension, from marine biology to agri-engineering. The Philippines' role

in the dissemination of appropriate wildlife and fishery management techniques, particularly in Asia and the Pacific cannot be overemphasized. Any successful educational program conducted here will likely be replicated throughout the region.

PHILIPPINE WILDLIFE LEGISLATION AND CITES IMPLEMENTATION

The Philippines acceded to the CITES treaty in August, 1981. While they do not currently have legislation that specifically addresses CITES, existing legislation does allow for CITES to be implemented. Authority to manage Philippine natural resources is jointly held by two agencies, in a manner similar to the United States. Maritime species are managed by BFAR, and all others by the PAWB.

BFAR. This bureau is located in The Philippines Department of Agriculture, and derives its primary authority from, and enforces the provisions of CITES through, the *Fishery Code of The Philippines* (Presidential Decree #704 of 1975), and a variety of specific management refinements authorized by administrative orders and presidential decrees.

The most notable strategies of the BFAR in the implementation of CITES are the bans on commercialization of corals and certain shells, prohibitions on illegal methods of fishing (such as by use of poisons and explosives), and the use of export certifications and permits for those products where legal trade is permitted (such as aquarium fish or shell crafts).

PAWB. This bureau is located in the Department of Environment and Natural Resources, and derives its primary authority from, and enforces the provisions of CITES through, the *Protection of Game and Fish Act* (# 25-90, of 1916), and the *Forestry Reform Code* (Presidential Decree #705, of 1978). The most important regulations promulgated under these authorities are the Administrative Orders #90 and #96 (of 1988), which establishes the PAWB's strategies and goals for wildlife management.

It is notable that trade in most wild specimens was banned in 1988 and in all wild specimens by 1994. The only legal trade allowed is in captive-bred specimens, supervised by the PAWB through a permitting process. This allows for economic benefits without detriment to the wild populations, such as the legal export of captive-bred primates (for medical research), birds (for pet and zoological trade), butterflies (for collectors), and orchids (for retail and wholesale).

PROGRAM

General Information. The workshops were held during February and March of 1996 in Manila, the Visayas, and Mindanao.

At all sessions, each of the participants was provided with fundamental information needed to effectively carry out CITES enforcement duties. In addition, each group was provided with specialized instruction on compliance, detection and interdiction in their particular region of The

Philippines The training used lectures, videos, slides, overheads, handout materials, panel and group discussions, role-playing and competitions

The sessions in Manila were also designed to provide the managerial level knowledge required to supervise a compliance program, and to assure consistent and reliable understanding and implementation of the CITES treaty by upper- and middle-management in PAWB and BFAR. In this manner, both national and regional personnel would be better prepared for the planned decentralization in late 1996. Certain CITES functions, such as permit issuance and compliance/enforcement programs, will be delegated and/or started in the outlying regional offices, and this workshop provided a unique opportunity to seed this expansion with accurate and timely knowledge and skills.

PAWB, in particular, is in the process of initiating a program of "joint monitoring teams" to enforce CITES and national wildlife laws. These teams will be based at the six international airports, three seaports, and other locations. The teams, whose composition will vary from site to site, generally comprise personnel from PAWB, BFAR, Customs, and other police or inspection agencies (as best complements the needs of a given location). A team leader was selected for each site, and was sent to the training in Manila. Due to time limitations, additional training was scheduled only for Cebu City, Davao, and Subic Bay.

Over 100 individuals participated in all the workshops, representing over a dozen different agencies and bureaus, all directly or indirectly involved with CITES administration and wildlife law enforcement in The Philippines.

In addition, a number of observers from non-government organizations and trade associations were in attendance at various points during the sessions (when practicable and permissible). Among the observers represented were

National Museum; Airline Pilot's Association, Haribon Society; several USAID contractors, SICONBREC (primate captive-breeding facility), and World Wildlife Fund.

Set-up USFWS trainers arrived in Manila the night of February 15. The following morning, a courtesy call was paid to both the PAWB director, and to BFAR senior staff. At these meetings, it became apparent that the number of participants had doubled from initial estimates.

Each of the three days following arrival was spent with representatives from PAWB, BFAR, and the Secretariat, preparing for the first workshop set to begin the morning of February 19th, and to be held in Quezon City, just outside Manila. Preparations involved copying and collating handouts, procuring the requisite audio-visual equipment and wildlife samples, coordinating lecture and examination materials between USFWS and CITES Secretariat staff, setting up security for sessions to be held at the international airport, and other administrative functions to ensure effective implementation of the workshop.

The agenda was organized and put in its final form the evening of February 18, and sessions began in earnest the following morning

Manila Workshop The formal Manila program opened on February 19 and continued through February 24, 1996 with sessions from 7 30 AM through the evening Over 60 participants included:

National level managerial staff from PAWB, BFAR, Bureau of Customs, Bureau of Immigrations, Bureau of Plant Industry, Bureau of Animal Industry;

Selected PAWB and BFAR managerial staff from other parts of the country, and

Field staff from the various agencies, who are assigned in the Manila area, as well as representatives from the various police agencies assigned to the Ninoy Aquino International Airport (NAIA) in Manila.

Day one began with registration proceedings and the distribution of participant packets, classroom materials, identifications, and other necessary information Opening remarks and introductions were made by selected officials, and the workshop began with presentations by the CITES Secretariat representatives which included the history, structure, and objectives of CITES This was followed by a brief review of past CITES implementation in The Philippines, and of the current status and plans of PAWB and BFAR This element was crucial, not just as an introductory session, but as emphasis on the importance of the CITES mission to all participants, especially those from non-wildlife agencies By explaining the responsibilities of BFAR and PAWB - and of The Philippines - vis à vis the international CITES treaty, as well as to their national heritage, each participant joined in the spirit of the partnerships The session continued into the early evening with thorough instruction on CITES definitions, classifications of species, and legal authority

Day two concentrated on global and regional trade concerns, national quotas and CITES annual reports Also covered were procedures and protocol for re-exports, and for specimens bred in captivity, with emphasis on management of legal trade The afternoon session was devoted to an in-depth study of international CITES documents how to read, issue, and verify them These discussions dealt with both plant and animal species covered under the CITES appendices The evening session lasted until about 9 PM, and was devoted to wildlife identification and forensic science, in support of enforcement efforts

The third day of the program emphasized wildlife inspection techniques This session covered methods of document analysis, document fraud, safety concerns, inhumane shipments, the various transportation methods used for wildlife in Asia, and anti-smuggling techniques Also covered was the use of various inspection aids such as the CITES Identification manuals and the *Environment Canada* Bird Identification Manual, which was provided to each of the participants, courtesy of the Canadian government

The fourth day centered mainly on investigative techniques learning where to look for certain types

of shipments, identifying repeat violators, identifying subjects of investigations and transmitting this information to the appropriate national, CITES, or Interpol authorities as applicable. Presentations were also made by the Philippine authorities, explaining their strategies in CITES and national wildlife policy, and their plans for the upcoming decentralization.

The fifth day was used for a hands-on session at the Ninoy Aquino International Airport (NAIA). A variety of subjects was covered, including problems in the use of x-ray detection, how to target flights and cargo for inspection, smuggler profiling, and safety procedures. Short presentations were also given by the other airport inspection and police authorities, demonstrating their capabilities, identifying which resources they have to offer, and how to use those resources.

The sixth day, a Saturday, involved field trips to representative local wildlife industry. While this was listed as an optional activity, nearly every single participant attended, clearly demonstrating their commitment to the workshop. Critical to the management of a CITES program is the ability to discern wild from captive-bred specimens, and the skills to properly regulate legal trade in an equitable manner. This goal was advanced by on-site inspections and tours of two such facilities.

In the morning, the participants went to *Birds International*, a captive-breeding facility for both native and exotic varieties of endangered species of birds and other animals. In the afternoon, the group visited *SICONBREC*, a breeding center supplying primates for medical and scientific research worldwide. At each venue, trainers discussed the types of documentation to search for, and the methods of researching proper breeding center management. At the primate center, USFWS staff also discussed the concerns of the U.S. Center for Disease Control (CDC), and how these concerns could best be addressed.

Sunday, February 25, was spent preparing materials for the next stage of training. Secretariat representatives could not assist (they had a previous engagement in Africa), however, they graciously provided some of their instruction materials, and entrusted USFWS with their portion of the syllabus, for the remainder of the program.

Monday, the 26th, was spent at the PAWB offices, both in finishing preparations, arranging shipping, reviewing adjustments necessary for the segments outside Manila, and assisting in the implementation of some of the changes suggested during the previous week. In addition, review and commentary was sought and received by both PAWB and BFAR on proposed natural resource legislation.

Cebu City Segment: The next segment was held in Cebu City from February 27 through March 2, 1996. Cebu City, capital of Cebu Province, is the major air and sea port of entry for the Visayas region of the country. It has a newly opened international air terminal, and international flights have increased from 4 to 11 per day this year alone, with estimates of 40% and up for the projected annual growth in both air and ocean traffic.

USFWS trainers arrived Tuesday morning, the 27th, and opened the session to an audience of 37 participants, including the members of the Cebu monitoring team, and about twelve other persons.

who were able to observe from the second day on. The following agencies were represented:

PAWB, BFAR, DENR, DA, DENR Prosecutor's Office, Bureau of Customs, Maritime Police, Philippine Coast Guard, Cebu International Airport Authority, Airport Police, Bureau of Immigration, Bureau of Plant Industry, and representatives from Provincial and city government

The curriculum was slightly altered from the one used in Manila, using similar audio-visual aids and written materials, and competitions. Somewhat more emphasis was placed on field inspection, investigation and identification techniques, tailored to the types of legal and illegal activities prevalent in the Visayas region, as this segment of the workshop was primarily directed at the Cebu monitoring team, and the other partner agencies. Sessions went from approximately 8 AM through the evening, with some complications due to power outages.

The end of this workshop was led by USFWS trainers along with monitoring team members. Short presentations were given identifying which resources they and their agencies could offer. USFWS staff specifically addressed recent increases in the following types of traffic:

All shipments of sea turtles (destined worldwide) and *Pteropodidae spp.* (Flying foxes, destined for the U S), protected by both CITES Appendix I and by Philippine national legislation, these have been identified by PAWB as species of concern for over a decade.

Commercial shipments of corals (destined for worldwide aquaria and craft trade) and giant clams (destined for worldwide aquaria trade, and North Asian consumption), protected by either CITES Appendix I or II, and by Philippine national legislation.

In session, trainers examined where wildlife traffic exiting Cebu originates, and how cargo supplied by inter-island shipping services is routed past inspection. Both in and out of the classroom, participants brain stormed, learning how to use their various resources to track the wildlife prior to exportation, interdict illicit trade, and prepare the new monitoring team for its role in CITES implementation. These informal sessions lasted through March 2, in addition, USFWS trainers worked with the team leader to implement some of the needs of the team identified during the session.

Sunday, March 3rd, was spent preparing and recollating materials for the next segment in Davao. Originally set to fly to Mindanao at 6 PM that evening, trainers were delayed by the airline until the following morning, taking a 5:30 AM flight to Davao.

Davao Segment: This portion was held in Davao City from March 4, through March 7, 1996. Davao is one of the two major ports of entry for the island of Mindanao (the other is Zamboanga). Mindanao is important to the natural resource planning of the nation, as it holds a great percentage of the remaining forests, reefs and wildlife in The Philippines. The island is populated by over two dozen ethnic minorities, and it is home to The Philippines' significant Muslim religious minority. Natural resource issues here are best addressed directly, to give proper consideration to the cultures and

stewards of the southern island.

It has a newly designated international air terminal, with direct flights to Indonesia, Malaysia, Singapore and northern Asia. Like Cebu, it is a city enjoying an economic boom, with the resultant increase in trade and a projected annual growth in both air and ocean traffic estimated at 40% and up.

USFWS trainers opened the March 4 session to an audience of 26 participants, including the members of the Davao monitoring team, and about seven other informal observers, representing the following agencies:

PAWB, BFAR, DENR, DA, Bureau of Customs, and Airport Police

Primarily directed at the Davao monitoring team, the curriculum was similar to that used in Cebu, again using the audio-visual aids, written materials, and competitions, and addressing the issues and activities prevalent to the Mindanao region. Sessions went from 8 AM through the evening, again with some complications due to brief power outages.

The tail end of this workshop was led by USFWS trainers along with monitoring team members. Short presentations were given identifying which resources they and their agencies could offer. USFWS staff specifically addressed recent increases in the following types of traffic:

All shipments of *Pteropodidae spp.* (Flying foxes, destined for the U S), protected by both CITES Appendix I and by Philippine national legislation, these have been identified by PAWB as species of concern for over a decade.

Commercial shipments of orchids (destined for worldwide wholesale and retail, as well as collectors) and reptiles (crocodilians destined for worldwide leather trade and North Asian consumption, other types for the pet trade), protected by either CITES Appendix I or II, and by Philippine national legislation.

In session, trainers showed how wildlife traffic exiting Davao is supplied, and how cargo supplied by Mindanao surface transit might avoid inspection. Both in and out of the classroom, participants brainstormed, learning how to use their enforcement resources, track the wildlife prior to exportation, interdict illicit trade, and prepare the new monitoring team for its role in CITES implementation. These sessions lasted through the evening of March 6th.

Thursday, March 7, was spent with the monitoring team leader reviewing the needs and goals of the team as identified during the session, and preparing and recollating materials for the last segment in Subic. Trainers left Davao on the night flight, arriving in Manila about 11 PM.

Subic Bay Segment: The USFWS trainers traveled to Subic Bay the following morning, Friday, March 8th. They were scheduled to give a one-day familiarization training to Customs personnel,

assist in the establishment of a monitoring team, and assist PAWB in discussions with industry representatives. Again, the message to be conveyed was that legal trade would be supported, and expedited, however illegal trafficking in wildlife must be stopped.

Subic Bay was identified as a priority site for a monitoring team by PAWB. Information supplied by the USFWS to PAWB in late 1994 showed that international commercial cargo carriers would increasingly use the facilities at the Subic Bay Free Trade Zone as an inter-Asia hub. (The information was accurate: the Federal Express Company, for example, now routes most of its Asia-Pacific traffic through the old military port.) Of particular concern to PAWB was the protection of endangered species found in the Subic Bay area: birds, processed skins - and particularly flying foxes (these are shipped to Guam and Hawaii in the United States, for consumption by ethnic Guamanians.)

Due to communications difficulties between the Bureau of Customs and the Subic Bay Management Authority (SBMA), the formal full-day briefing was not held. SBMA, which had sent one representative to the first session in Manila, had offered on February 21st to make the arrangements for such a session, for which both they and Customs expressed great interest. Inexplicably, SBMA did not follow up on their offer, and failed to inform the Bureau of Customs. SBMA did, however, request direct negotiations with USFWS for their own workshop to be held at a later date.

Thus, on March 8, USFWS met with the Chief of the Bureau of Customs, Subic Bay inspection group, who expressed sincere regret over the lost opportunity and miscommunication, apologized for the SBMA, and made time to familiarize himself with the issues in a discussion with USFWS and PAWB. Training staff returned to Manila by Friday evening.

Closing Activities Monday, March 11th, was spent at the offices of the PAWB, packing and distributing the remaining classroom and instructors' materials. The directors of PAWB and BFAR, as well as Customs senior staff, had sent word the previous Friday, requesting meetings with USFWS trainers for briefings on the results and recommendations obtained from the workshop series. These meetings were arranged at this time, and were held on March 17th through the 19th.

PAWB, BFAR and Customs thanked both USAID-USAEP, and the USFWS, for the workshops, and reviewed the successes and lessons of the program in these briefings. Each sought advice on some immediate implementation issues. PAWB and BFAR also took this opportunity to consult with USFWS on upcoming national legislation, and on improving communications for the partnership.

In addition, BFAR requested advice on a planned 1996 official visit of managerial staff to the United States to work with USFWS at U.S. ports of entry, in anticipation of an inspection program similar to that conducted in the U.S. by USFWS.

The Bureau of Customs expressed their desire for additional in-house training of Customs officers by USFWS, so that more of their personnel would be exposed to this discipline, and that they might expand their role in the implementation of CITES, as well as more efficiently regulate the legal trade.

Lastly, USFWS consulted with PAWB and Customs on the investigation and ultimate disposition of an intercepted shipment of smuggled primates. This incident is of great international significance, involving the CITES Secretariat, the governments of Nigeria, Benin, Pakistan and The Philippines, and was widely reported in the international press.

ACCOMPLISHMENTS

The following are the accomplishments of the workshop program:

Training in CITES administration, law enforcement, and wildlife inspection was provided to over 100 individuals representing over a dozen Philippine agencies;

Philippine officials were introduced to the implementation of the international CITES treaty from a multi-agency, integrated law enforcement perspective,

USFWS addressed specific CITES enforcement issues posed by the agencies in question,

Training, study and scientific materials were provided to management and field personnel at the major ports of entry in The Philippines, to allow for continuing education and for future reference,

New partnerships were created (and existing ones strengthened) between the wildlife management authorities of The Philippines, and the law enforcement and inspection agencies with whom they serve - and ultimately depend on - for the enforcement of CITES and Philippine national wildlife laws,

Working directly with Philippine officials to help improve CITES and wildlife enforcement, U S trainers transferred needed skills and information, and set the groundwork for future progress. They gained invaluable insights into Philippine operations, available in no other way. This will improve joint efforts between the U S and The Philippines in implementing CITES, and in working to mutually support each other's interests in wildlife trade and management, and

A commitment to CITES was reaffirmed between allies, at a time when new wildlife legislation is being passed through The Philippines Congress, decentralization of many CITES functions is set to take place, and an upcoming conference of all CITES members in June, 1997, promises to be one of the more contentious

RECOMMENDATIONS AND CONCLUSIONS

The workshop series was a major success, according to both USFWS-LE and the host agencies in The Philippines. Upon return to the United States, immediate results were readily apparent in relations between USFWS, PAWB and BFAR. The Philippines has already implemented suggestions from USFWS staff, and continues to seek a productive working relationship. BFAR and PAWB are planning to send more staff, at their expense, for additional training and consultation with USFWS. Furthermore, The Philippines Bureau of Customs expressed their great interest in obtaining additional training from FWS.

There was a sincere commitment and willingness to advance CITES compliance by the government of The Philippines, and a remarkably high level of energy and team spirit on the part of each individual participant and agency. A major accomplishment of the training was in bringing together the various agencies involved both directly and indirectly with the monitoring and enforcement of CITES and of Philippine wildlife laws. Each participant realized their role in the commitment made by The Philippines government in implementing the treaty, and made it a point of national pride to advance this effort.

It is particularly recommended that the United States follow up this training with the following:

- a) Support of similar training at Zamboanga City, Subic Bay, and Laoag City, the remaining international traffic centers with monitoring teams
- b) Provide training directly to the Bureau of Customs personnel, as they are suggesting. As the first line of detection for wildlife entering The Philippines, and the last domestic defense for wildlife illegally exiting The Philippines, it is crucial for the Bureau of Customs to take a lead role in the active enforcement and implementation of the CITES treaty.
- c) Organize a "Training of Trainers" workshop, so that both PAWB and BFAR can continue to present and reinforce this material on their own to their hundreds of staff members who could not participate in these sessions, and to their personnel in remote areas, away from monitoring teams, who can nonetheless contribute to the objective. Such a training would also lead to the discipline of wildlife law enforcement and CITES compliance as a regular part of the Bureau of Customs' basic academic curriculum.
- d) Continue USFWS support of individual training for PAWB and BFAR personnel in the United States, both at ports of entry, the Washington, D C national offices, and the national academy at the Federal Law Enforcement Training Center in Glynco, Georgia.

APPENDIX I



*National Training-Workshop on the
Implementation of the Convention on International
Trade in Endangered Species of Wild Fauna and Flora
February 19-25, 1996 - Great Eastern Hotel, Quezon City*

P R O G R A M

MONDAY - February 19, 1996

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|----------------|--|---|
| 8:30 - 9:00 AM | Registration | |
| 9:00 - 10:00 | Opening Ceremony | |
| | Invocation | |
| | National Anthem | |
| | Welcome Address | - MR. DENNIS B. ARAULLO
<i>Director, Bureau of Fisheries & Aquatic Resources</i> |
| | Opening Remarks | - ATTY. WILFRIDO S. POLLISCO
<i>Director, Protected Areas and Wildlife Bureau</i> |
| | Introduction of Keynote Speaker | - ATTY. ROMULO A. REDULA
<i>Director for Legal Services
Dept. of Environment and Natural Resources</i> |
| | Keynote Speech | - ATTY. ANTONIO G.M. LA VINA
<i>Undersecretary for Legal, Legislative Affairs and
Attached Agencies
Dept. of Environment and Natural Resources</i> |
| 10:00 - 10:30 | B R E A K | |
| 10:30 - 11:00 | Presentation of the training objectives and Methodology (presented by CITES Secretariat and USFWS) | |
| 11:00 - 12:30 | Overview of the CITES (presented by Secretariat) | |
| | + History & objectives | + Relationship to UN Body & other organizations |
| | + CITES global structure/organization | |
| 12:30 - 1:30 | L U N C H B R E A K | |
| 1:30 - 2:00 PM | CITES Implementation in the Philippines (presented by PAWB) | |
| | + History | + Linkages with GO's & NGO's |
| | + Overview of the structure | |
| 2:00 - 3:30 | CITES Administration (Secretariat) | |
| | + Fundamental principles of CITES | + Procedures for Appendices I, II, & III |
| | + Presentation of species included in the Appendices | + Exercise No. 1 / Correction of Exercise 1 |
| 3:30 - 4:00 | B R E A K | |
| 4:00 - 5:30 | CITES Administration continued (Secretariat) | |
| | + Functions of the Management Authority | + Stricter Domestic measures |
| | + Functions of the Scientific Authority | + Exercise No. 2 / Correction of Exercise 2 |
| | + National Legislation | |
| 6:30 - 7:30 | RECEPTION / DINNER | |
| | Video Showing - "CITES Trade & Summary" | |

- 8:30 - 10:15 AM CITES Administration continued (Secretariat)
- + Pre-convention specimens
 - + Specimens bred in captivity
 - + Control and inspection of breeding operations
 - + Ranching and quotas
 - + Exercise No. 3 / Correction of Exercise 3
- 10:15 - 10:45 B R E A K
- 10:45 - 12:30 CITES Administration continued (Secretariat)
- + Control of artificially propagated plants
 - + Control of nurseries
 - + Differentiation between wild and propagated plant specimens
 - + Exercise No. 4 / Correction of Exercise 4
- 12:30 - 1:30 L U N C H B R E A K
- 1:30 - 3:30 PM CITES Administration continued (Secretariat)
- + Issuance and control of permits/certificates (Import, Export, Re-export)
 - + Personal and Household effects
 - + Valid and Invalid CITES Permit
 - + Exercise No. 5 / Correction of Exercise 5
- 3:30 - 3:45 B R E A K
- 3:45 - 5:30 CITES Administration continued (Secretariat)
- + Transport of Live Specimens
 - + Transit and Transshipment
 - + Annual Report
 - + Exercise No. 6 / Correction of Exercise 6

WEDNESDAY - February 21, 1996

- 8:30 - 10:30 AM Philippines CITES Enforcement Measures, Permits and Inspection Procedures:
- A) Presentation by the PAWB-DENR (1 hr.)
 - B) Presentation by the BFAR-DA (1 hr.)
- 10:30 - 11:00 B R E A K
- 11:00 - 12:00 Introduction to Law Enforcement & Inspection Programme (Presented by USFWS)
- 12:00 - 1:00 L U N C H B R E A K
- 1:00 - 2:00 Methods of document analysis (USFWS)
- + verification and identification of contents, quantities and values using supporting documents
 - + review of air and ocean cargo manifests
 - + Exercise No. 7 / Correction of Exercise 7
- 2:00 - 3:30 PM Types of Fraud documents (USFWS)
- + alterations
 - + false documents
 - + Document fraud video-presentation
 - + Exercise No. 8 / Correction of Exercise 8
- 3:30 - 4:00 B R E A K
- 4:00 - 5:30 Inspection of Shipments (USFWS)
- + Baggage inspection
 - + Air/Ocean Cargo
 - + Land/Border inspection

EVENING SESSION (7:30 - 9:00 PM)

Smuggling Techniques Detection (USFWS)

- + slide presentation (30 minutes)
- + video presentation (30 minutes)
- + role playing (30 minutes)

15

THURSDAY - February 22, 1996

- 8:30 - 9:00 AM Overview of U.S. National Wildlife Forensic Laboratory (USFWS)
9:00 - 9:30 Presentation of fraud cases in the Philippines
9:30 - 10:30 Overview of an Investigative Program (USFWS)
10:30 - 11:00 B R E A K
11:00 - 12:30 Conducting a Criminal Investigation (USFWS)
Exercise No. 9/Correction of Exercise 9
12:30 - 1:00 L U N C H B R E A K
1:30 - 3:30 PM Conducting an investigation (continued)
Exercise No. 10/Correction of Exercise 10
3:30 - 4:00 B R E A K
4:00 - 5:00 Confiscation and Forfeiture Procedures (USFWS)

EVENING SESSION (7:00 - 8:30 PM)

Trader Role-Playing (Exercise No. 11)

FRIDAY - February 23, 1996

- 7:00 - 12:00 AM Visit to the Ninoy Aquino International Airport
To be divided into 2 groups: Group A - International cargo area
Group B - Departure & Arrival area
1:00 - 2:00 (Back to Hotel)
2:45 - 3:45 PM Open Forum / Wrap-Up Discussion
3:45 - 4:15 Snack
4:15 - 5:30 Closing Ceremony

SATURDAY - February 24, 1996

- 7:00 - 12:00 AM Farm Visit (either to Monkey Farm or Bird Farm)



AGENDA

CITES IMPLEMENTATION WORKSHOP IN THE PHILIPPINES

*February 19-23, 1996
With Field Training Continuing Through March 8*

SUPPORTED BY

**PROTECTED AREAS AND WILDLIFE BUREAU - THE PHILIPPINES
BUREAU OF FISHERIES AND AQUATIC RESOURCES - THE PHILIPPINES
USAID'S UNITED STATES - ASIA ENVIRONMENTAL PARTNERSHIP
THE CITES SECRETARIAT
U.S. FISH AND WILDLIFE SERVICE**

APPENDIX II

LIST OF PARTICIPANTS
NATIONAL TRAINING-WORKSHOP ON THE IMPLEMENTATION OF CITES
GREAT EASTERN HOTEL, Quezon Ave., Quezon City
February 19-25, 1996

DENR Participants

- | | |
|------------------------------|--------------------------------|
| 1. Jose Quigao - R-1 | 9. Michael Merilles - R-7 |
| 2. Teber Dionisio - CAR | 10. George Guillermo - R-8 |
| 3. Gaudencio Bartolome - R-2 | 11. Mussaenda Tee - R-9 |
| 4. Lydia Sadueste - R-3 | 12. Ester Olavides - R-10 |
| 5. Myrna Abaga - R-4A | 13. Leonilo Rivera - R-11 |
| 6. Mary June Maypa - R-4B | 14. Ernesto Manuel - 12 |
| 7. Celenia Soreta - R-5 | 15. Abdulkarim Macabantog-ARMM |
| 8. Lea Fe Garingalao - R-6 | 16. Prudencio Ventura - NCR |

BFAR PARTICIPANTS

- | | |
|--|---|
| 1. Mario Trio - NAIA | 10. Edwyn B. Alesna-Management
BFAR |
| 2. Chit Juico - NAIA | 11. Cynthia P. Luga- Legal BFAR |
| 3. Jeffrey D. Cortes-Cebu | 12. Ludivina L. Labe-Scientific
BFAR |
| 4. Randolph M. Corrales-Cebu | 13. Cesar C. Galera - Law
Enforcement BFAR |
| 5. Estelita Pacardo-Zamboanga | 14. Alejandro Sanchez, Jr. |
| 6. Rosella Contreras-Zamboanga | 15. Jorge Mogul - Subic Port |
| 7. Mohammad P. Jailani-Davao | |
| 8. Baltazar Macas, Jr.-South
Harbor | |
| 9. Farida Batolos- OSEDC | |

PARTICIPANTS
BUREAU OF CUSTOMS/NAIA CUSTOM POLICE/ANIMAL QUARANTINE(NAIA)/
BUREAU OF PLANT INDUSTRY

1. Valeriano Galang - Bureau of Customs NAIA
2. Apolonio Y. Bustos - Customs Police NAIA
3. Atty. Geoffrey Gacula - NAIA Export Division
4. Atty. Crisogono Perez - Bureau of Customs ESS

OBSERVERS

1. Marcos Jose M. Vega - SBMA
2. Margie Kilakil - OSEDC-BFAR
3. Felipe Eleda - Law Enforcement BFAR
4. Noel C. Barut - Scientific BFAR
5. Thelma P. Ricablanca - Scientific BFAR
6. Adoracion G. Jastillana - Management BFAR
7. Patrick Guerrero - Bureau of Customs NAIA
8. Antonio Hernandez -Bureau of Customs NAIA
9. Jesus Minglana - Bureau of Customs
10. Dr. Domingo Madulid - National Museum
11. Representative from ERDB
12. Dr. Dave P. Catbagan - BAI
13. Estrella Tuazon - BPI

**SEMINAR WORKSHOP ON THE IMPLEMENTATION
AND
ENFORCEMENT OF CITES REGULATION ON WILDLIFE**
DENR-7, Training Center, Cebu City
February 27 - March 1, 1996

- GUESTS/LECTURERS :**
- 1) Mr. George Phocas
Special Agent
United States Fish & Wildlife Service
Los Angeles, California
Tel. No. (310) 297-0062
Fax No. (310) 297-0700
 - 2) Mr. John Brooks
Special Agent
United States Fish & Wildlife Service
San Diego, California
Tel. No. (619) 557-5063
Fax No. 557-2997
 - 3) Ms. Alma Ballestin
Chief, Wildlife Regulation & CITES
PAWB-DENR, Quezon City
Tel. No. : 924-60-31 to 35
Fax No. : 924-01-09

PARTICIPANTS :

- 1) DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES (DENR)
 - a) Demetrio U. Kho - Chief, PAWD
 - b) Gloria A. Dawson - Sr. EMS, PAWD
 - c) Delia P. Batasin-in - Sr. EMS, PAWD
 - d) Estrella M. Mañago - EMS II, PAWD
 - e) Ma. Corazon T. Colarines - EMS II, PAWD
 - f) Emilio F. Datan - EMS II/RNDO, PAWD
 - g) Reynaldo C. Yray - EMS I, PAWD
 - h) Virginia Z. Geralde - Zoo. Technician, PAWD
 - i) Jermelina P. Ay-ad - SFMS, DENR-Legal Division
 - j) Benjamin A. Negapatan - Atty. II, DENR-Legal Division
 - k) Daisy V. Aragon - Chief, PAWS, CENRO Cebu City
 - l) Nestor Canda - Sr. EMS, PENRO, Bohol
 - m) Mario V. Aragon - Sr. EMS, PENRO, Neg. Or.
 - n) Loreto A. Rivac - Sr. EMS, PENRO, Cebu
 - o) Ma. Victoria A. Elle - EMS II, CENRO, Tagbilaran City
 - p) Rodulfo T. Aranas - EMS II, CENRO, Talibon

- q) Oscar S. Mongcopa - EMS II, CENRO, Dumaguete City
 - r) Purisimo O. Suerte - EMS II, CENRO, Argao
 - s) Teodulfo A. Montecillo - CENRO, Cebu City
- 2) BUREAU OF CUSTOMS
- a) Dani F. Lagnada - Customs Guard, Port Operation Division, MCIAA
 - b) Ruel C. Gotico - Customs Officer III, Mactan
- 3) MACTAN CEBU INTERNATIONAL AIRPORT AUTHORITY (MCIAA)
- a) George P. Sagaysay - Chief, Operation IIDPCD, MCIAA
 - b) Edgardo U. Bongoyan - Chief Investigator, MCIAA
 - c) Jose C. Arias - Asst. Admin. ESSD, MCIAA
 - d) Lyndon B. Bayucot - Chief, Logistics Br. PFD, MCIAA
 - e) Cesar Ramil M. Sungahid - Chief, Operation, PFD, MCIAA
 - f) Gershon A. Cadimas - Chief, Operation, PFD, MCIAA
- 4) PHILIPPINE COAST GUARD
- a) Rene C. Capuyon - Asst. POIC, Mandaue
 - b) Danny E. Anunciado - Asst. POIC, Pasig
 - c) Eleno E. Omictin III - Asst. POIC, Toledo
 - d) Carolino L. Lerio - POIC, Supply & Logistic Branch
CGS, Cebu
- 5) PNP MARITIME COMMAND
- a) Victorino R. Adriano - District Executive
Senior Police Officer
PNP Maritime Police 7
 - b) Francisco M. Singson, Jr. - Operation NCO, Maritime Police
- 6) BUREAU OF FISHERIES & AQUATIC RESOURCES - DEPT. OF AGRICULTURE
- a) Unesi Inso - Quarantine Inspector, MCIAA

**Training-Workshop on the Implementation
of the
Convention on International Trade in
Endangered
Species of Wild Fauna and Flora**
Protected Areas and Wildlife Division
Environmental Management and Protected Areas Service
Department of Environment and Natural Resources
Region XI, Davao City
March 04 - 06, 1996

- GUESTS/LECTURERS :**
- 1) Mr. George Phocas
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 - 2) Mr. John Brooks
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 - 3) For. Alma Ballesfin
Chief, Wildlife Regulations & CITES
PAWB-DENR, Quezon City
Tel. No. : 924-60-31 to 35
Fax No. : 924-01-09
- COORDINATOR :**
- 4) For. Leonilo R. Rivera
Chief, Protected Areas and Wildlife Div.
EMPAS-DENR, Region XI, Davao City
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PARTICIPANTS :

- A) Department of Environment and Natural Resources
- 5) Gregorio T. Cenabre - Supvg. EMS. PAWD
 - 6) Corazon S. Sandig - Engineers II. PAWD
 - 7) Carlos B. Bonnit - EMS II. MANP
 - 8) Teresita S. Pedres - EMS II. PAWD
 - 9) Marigelaine V. Arguillas - EMS II. PAWD
 - 10) Josefina B. Limbaga - EMS II. PAWD
 - 11) Samuel F. Santos - EMS II. MANP

- 12) Samuel G. Gambong - EMS II, PAWD
- 13) Herculano P. Templonuevo - EMS II, PENRO, Digos
- 14) Francisco L. Cabonce - EMS II, MANP
- 15) Benigno R. Rivera - Sr. EMS, PENRO, Mati
- 16) Conrada C. Vinluan - Sr. EMS, PENRO, Digos
- 17) Maria Minda A. Caliao - Sr. EMS, PENRO, Tagum
- 18) Demetrio T. Cahilig - EMS II, MANP
- 19) Jose E. Lechoncito, Jr. - Scaler, PAWD
- 20) Eufronio M. Justiniane - Scaler, MANP
- 21) Bienvenido M. Llanillo - Forest Ranger, MANP
- 22) Marybeth D. Soria - Forest Ranger, MANP
- 23) Lydia A. Canonigo - Forest Ranger, MANP
- 24) Victorio G. Zozobrado - Forest Ranger, MANP
- 25) Rizalita C. Manigbas - Science Aide, ERDS

B) Bureau of Customs, Port of Davao

- 26) Alfredo C. Borillo - Cargo Control Officer

APPENDIX III

KEYNOTE ADDRESS by ANTONIO G.M. LA VINA
Undersecretary for Legal and Legislative Affairs
Department of Environment and Natural Resources

National Training-Workshop on CITES Implementation
in the Philippines
Great Eastern Hotel, Quezon City
19 February 1996

Distinguished Officials of the CITES Secretariat, the U.S. Fish
and Wildlife Service, the USAID-USAEP,

Directors of the Protected Areas and Wildlife Bureau of the DENR
and the Bureau of Fisheries and Aquatic Resources of the DA,
Philippine CITES Management Authorities for Terrestrial and
Aquatic Wildlife, respectively,

Officials of the Philippine CITES Scientific Authorities and
other government offices.

Participants from the DENR and DA Regional Offices.

Ladies and Gentlemen.

I wish to express to you my warmest congratulations on the occasion of the very first formal assembly of the Philippine CITES Management and Scientific Authorities together with their implementing arms and other government collaborators in regulating international trade in endangered species of wild fauna and flora.

Since the entry into force of the Convention in 1975 and its ratification by the Philippine Government in 1981, we have had our fair share of successes and failures in the implementation of this global responsibility. Needless to say, our tasks take new dimensions with evolving trends toward sustainable development, advances in the sciences and in wildlife management, increase in human population and the needs of a developing nation.

Analysis of Philippine legislation by TRAFFIC-USA indicates that while there are other applicable legislations, the Philippines has no specific CITES implementation legislation to fulfill its obligations as a party to CITES. The Philippine Constitution (Sec. 2, Art. II), however, provides for adherence to the policy of peace, equality, justice, freedom, cooperation and amity with all nations, and adoption of the generally accepted principles of international law as part of the law of the land (underscoring supplied). Thus, international agreements, like the CITES, result in obligatory relations and have binding effects on the parties.

Recognizing the lack of a legislation to implement CITES, however, we have drafted in consultation with concerned sectors a Wildlife Bill which provides for the conservation and protection of wildlife resources and their habitats, appropriating funds therefor and for other purposes, now pending in both houses. Said Bill also intends to uphold our commitment to the implementation of CITES and other international commitments on the conservation and protection of wildlife and their habitats.

Admittedly, ratification of the CITES Treaty and effective implementation are two different things. In developing countries like the Philippines, the lack of effective implementation has also been attributed to lack of adequate funds, manpower and technical equipment, lack of adequate training programs and trained personnel to enforce regulations and re-echo new knowledge and skills, and lack of political support and will, among others.

The holding of this training-workshop is therefore appropriate and timely especially as it addresses one of the identified critical needs in CITES implementation. It is also consistent with DENR's move to decentralize and pilot CITES implementation, including processing and issuance of CITES permits, to and in regions with international ports.

With this move comes greater responsibilities. Among the many responsibilities are the responsibility for shared management and protection of wildlife that do not recognize boundaries, and the responsibility of maximizing meager resources for implementing such a gargantuan task.

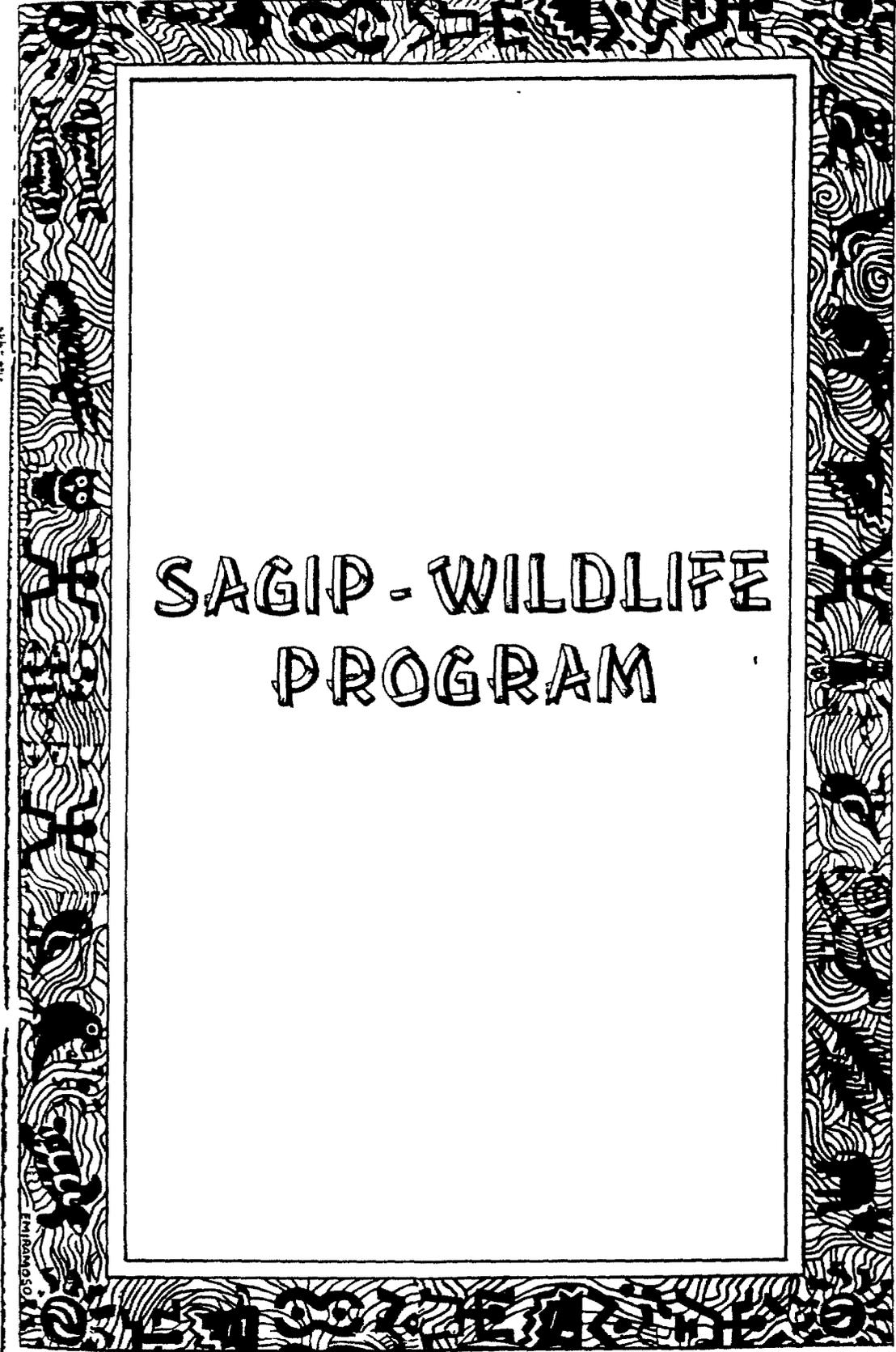
Let us, therefore, reaffirm our commitment to implement the objectives of the Convention within the context of sustainable development and recognize the urgency of the tasks faced.

I enjoin you all to work together by establishing and/or enhancing local, national, regional and global cooperation and linkages in the regulation of wildlife trade; by identifying innovative ways of mobilizing our partners in other government agencies, the non-government organizations, the academe, the private sector and the local communities themselves to actively participate in the conservation and protection of wildlife and their habitats; and by having the political will to enforce appropriate regulations.

It is only through our concerted efforts that present and future generations of man and wildlife stand to gain considerably.

Thank you.

APPENDIX IV



SAGIP - WILDLIFE
PROGRAM

1980-1981

ENRICHING

SAGIP WILDLIFE PROGRAM

1. What is SAGIP-WILDLIFE Program?

This is a national program developed through the concerted efforts of the DENR-PAWB, other government agencies and non-government sectors. This project was conceived to infuse some new strategies/measures to make existing policy measures more effective, help create a resounding impact in terms of implementation and erase the negative impression of the public that the DENR has been remiss in its function to conserve and protect the wildlife resources.

2. What is the rationale behind the implementation of Sagip-Wildlife Program?

Large-scale collection, transport and selling of wild plants and animals for local and international trade become relatively easy and highly profitable. This uncontrolled activity which was taken advantage of in the past by profit-minded collectors, has not only posed a threat to the population of some species in the wild but has also led to the extinction of other species. It has come to a point that the rate at which biological resources are destroyed is very alarming in the Philippines. Pressures are exerted upon the environment by growing human population, as well as industrial, agricultural, forestry and fishery development.

Because of a general lack of knowledge and appreciation of the values of biodiversity, most decision makers, for instance, fail to incorporate knowledge and appreciation in developing policies that reflect the scientific, socio-economic and ethical values of biodiversity. The needs of local communities dependent upon wild plants and animals and other biological resources are not adequately addressed by most developmental projects. Furthermore, the local communities, NGO's and PO's have not fully participated in the planning and implementation of these projects because of overcentralization of government operation.

The values and benefits which can be derived from tapping biological diversity wherein wildlife resources is one of the components is limitless. Primarily, man is fully dependent on plants and animals for food and for medicinal and industrial raw materials. There is a need for a sound integrated conservation and

management program for wildlife so that we could go into sustainable wildlife-related and as much as possible community-based development projects.

Sagip Wildlife is one project which will hopefully minimize if not altogether stop all indiscriminate exploitation of wild species of flora and fauna. A strong information education communication and consultation effort with all sectors of the society are urgently needed to assure an effective and successful implementation of this project. For a new start, Oplan Sagip Wildlife necessitates coordination of the government with non-government agencies as well as private entities in this operation. Without public support any project may not be sustained.

3. What are the objectives of Sagip Wildlife?

Sagip Wildlife aims

- 3.1 To minimize and ultimately stop indiscriminate collection and trade of wild flora and fauna
- 3.2 To promote and encourage wildlife animal propagation through captive breeding and plant breeding
- 3.3 To strictly enforce wildlife legislations
- 3.4 To conduct public awareness through massive information and education campaign on the values of wildlife conservation

4. What are the threats to wildlife resources?

Some of the major causes of the decline of wild flora and fauna are

- 4.1 Deforestation which is the single greatest cause of decline of species population and extinction
- 4.2 Degradation of wildlife habitats to include both land, coastal and freshwater ecosystem.
- 4.3 Over exploitation of wildlife species

- 431 trapping/collecting for export.
- 432 selling of wildlife, derivatives and by-products
- 433 hunting for food

44 Introduction of exotic species which competes with local wildlife for its biological needs

45 Pollution

46 Soil erosion

47 Global Warming

48 Ineffective and outdated wildlife legislation

49 Lack of information/general public awareness about wildlife

5. What wildlife species are included in this program?

All wildlife species found in the Philippines whether endemic, migratory or introduced, particularly those listed and DAO 48 (Annex A) are included in the coverage of the program

6. What are the cooperating institutions and their function in Sagip Wildlife?

The following government and non-government agencies are cooperators in the program:

1 The Department of Environment and Natural Resources (DENR)

1.1 Protected Areas and Wildlife Bureau

1.2 DENR Regional Offices

- agency mandated with the management, conservation and protection of wildlife resources

2 National Bureau of Investigation

- assist in the enforcement of wildlife laws, rules and regulations

- assists in monitoring and surveillance of wildlife trade activities

3. Manila Mayor's Office

- assists in identifying violators of wildlife rules and regulations
- provides support in the campaign against illegal trade of wildlife in Metro Manila

4 Haribon Foundation

Oposa Law Office

Tanggol Kalikasan

Protestant Lawyers League of the Philippines

- give legal advise on the appropriate legal measures to be taken in the enforcement of wildlife laws, rules and regulations.
- provide legal assistance in pursuing cases encountered in the enforcement of wildlife laws.

5 Philippine Animal Welfare Society (PAWS)

- cooperates by undertaking information dissemination re- the conservation and protection of endangered wildlife species.
- provides support in the campaign against illegal trade of wildlife.

7. What are the relevant wildlife rules and regulations to observe?

LEGISLATIVE MEASURES/ POLICIES/REGULATIONS	SUBJECT	SALIENT FEATURES
1 Act No 2590 dated 04 February 1916	An act for the protection of Game and Fish	
2 Act No 3983 dated 03 December 1932	An Act to Protect Wild Flowers and Plants in the Philippine islands and to prescribe conditions under which they may be collected, kept, sold exported and for other purposes	

LEGISLATIVE MEASURES/ POLICIES/REGULATIONS	SUBJECT	SALIENT FEATURES
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3 DAO, No 90, Series of 1988 as amended by DAO No 30, Series of 1990 as amended by DAO No 47, Series of 1992	Allowable quota for certain wildlife species that may be collected from the wild under a wildlife permit for commercial purposes 1990 Quota for certain wildlife species that may be collected from the wild under a wildlife permit for commercial purposes Amending DENR A O No 30, Series of 1990 entitled "1990 Quota for certain wildlife species that may be collected from the wild under a wildlife permit for commercial purposes"	Sets a national quota for certain wildlife species that may be collected from the wild for commercial purposes Quota is based on recommendations by the CITES Philippine Scientific Authorities (PNM, ERDB and UPLB) Delisting of Philippine cockatoo from list of spp of fauna that may be collected for commercial purposes valid until 1993 only
4 DAO No 96, Series of 1988	Policies on the allocation of Quota on Wildlife	Provides for a 4-Year gradual (1990-1993) phase-out on the commercial export of feral animals Provides for the creation of an Inter-Agency Wildlife Management Committee to assess and evaluate applications for wildlife collector's and farm permits, among others Beginning 1994, only captive-bred animals will be allowed for export Provides standards in the proper care and handling of animals to minimize injury or health damage during actual transport, and prevention of human infection through use of safety gadgets, etc
5 DAO No 24, Series of 1990	Guidelines on the handling of Non-Human Primates	

LEGISLATIVE MEASURES/ POLICIES/REGULATIONS	SUBJECT	SALIENT FEATURES
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6 DAO No 46, Series of 1990	Format and Criteria for proposals to register the first commercial captive breeding operation for a CITES Appendix I Animal Species	Prescribes the standard CITES format to be followed by commercial and non-commercial farm operations desiring to breed Appendix I species for commercial purposes Accreditation by DENR of the captive-bred animals are strictly based on the prescribed format Animals claimed as progenies but fail to qualify under the prescribed format shall not be allowed for export/trade and shall be confiscated
7 MC No 05, Series of 1991	Guidelines on the inspection of flora intended for export in commercial quantity	Provides a system of reporting captive bred monkeys covering periods of pregnancy of breeders, post delivery, mortalities, and tattooing of progenies Provides for issuance of vertical tattoo codes for progenies and lateral tattoo codes for breeders Accreditation of progenies inspected prior to export, sale, trade or disposition
8 DAO No 29, Series of 1993	Guidelines on the collection of Additional and Replacement of Unproductive, Aged/over-aged and Deceased Monkey Breeders	Establishes the standard procedures in the collection of additional breeders and replacement and assignment of tattoo codes
9 DAO No 30, Series of 1993	Providing Incentives for the Wildlife Breeding Industry	Representation with the local and international communities involved in wildlife breeding

LEGISLATIVE MEASURES/
POLICIES/REGULATIONS

SUBJECT

SALIENT FEATURES

10 DAO No 38, Series of 1990

Revised Regulations on the
Delineation of Functions
and Delegation of
Authorities

Use of PNB-US\$ buying
rate at the beginning of
the working week as
basis for computation of
export fee

Authorization of the
Director, PAWB or
authorized
representative to sign
CITES Permit and
Wildlife Certification

Exclusive issuance of
WFP for monkeys to
PEBAP members

Conservation
commitment required
by DENR may be
undertaken individually
or collectively

For collective
commitment prior
consultation should be
made with PAWB

Delegation of
authorities to the ff

Undersecretary for
Environment and
Research

Issues wildlife
collectors and farm
permits
issues wildlife
gratuitous permit

Regional Executive
Director

issues wild flora
collector's permit for
breeding purposes for
not >30 pcs orchids
regardless of spp
issues wildlife
certification for
commercial purposes
for non-rare, non-
threatened non
endangered wildlife,
including by-products
and derivatives

LEGISLATIVE MEASURES/
POLICIES/REGULATIONS

SUBJECT

SALIENT FEATURES

11 DAO, No 30, Series of 1992

Guidelines for the transfer
and implementation of
DENR functions devolved
to the Local Government
Units

issues wildlife
certification for non-
commercial purposes
for the export, re-export
and imports of non-rare
non-threatened flora
and fauna including
invertebrates, by-
products and derivatives
thereof (in areas with
international flights)

RTD - Protected
Area and Wildlife

Issues Certificate of
Registration of orchids
and wild ornamental
plant and pet shops
engaged in the trade of
wild fauna

issues max of 3 wildlife
gratuitous permits/
annum for non-rare, non-
threatened, non-
endangered and non-
CITES spp of wild fauna.
issues nursery farm
permits for commercial
growers of wild flora.

PENRO

monitors and conducts
periodic inspection of
farms, nurseries and pet
shop involved in the
prop and trade of flora
and fauna

CENRO

issues wildlife transport
permit for flora and fauna
transported within the
country

Except export and
import, regulation of flora
outside protected areas
including industries and
businesses engaged in
their propagation and
development, such as
orchidaria and nurseries,
provided that such
businesses and
industries are registered
with the DENR for
monitoring purposes

TITLE	DATE ISSUED	SUBJECT
Proc No 219 (Amended by P P Nos 530-B, 1230, 1440)	July 2, 1967	Declaring the Entire Province of Palawan as Game Refuge and Bird Sanctuary, and the Small Islands of Palawan as National Reserves
MNR A O No 12, Series of 1979	November 15, 1979	Regulations for the Conservation of Marine Turtles in the Philippines
MNR A O No 33, Series of 1982	August 11, 1982	Regulations Governing the Collection of Marine Turtle Eggs in the Province of Tawi-Tawi and Reiterating the Duties and Responsibilities of Deputy Conservation Officers and Deputy Game Wardens
DENR Memo Order No 6, Series of 1982	April 29, 1982	Suspension of Permits on Marine Turtle Exploitation
DENR A O No 45, Series of 1989	May 31, 1989	Policies on the Loan of Endangered, Rare and Threatened Philippine Wildlife Species
DENR A O No 142, Series of 1989	December 29, 1989	Guidelines on the Disposition of Confiscated Wildlife Species
DENR A O No 08, Series of 1990	January 17, 1990	Guidelines on the Exchange and Donation of Endemic and Exotic Animals
DENR Memo Order No 03 Series of 1991	March 18, 1991	Procedures on the Health Care and Maintenance of Confiscated and Donated Wild Fauna
DENR A O No 36, Series of 1991	July 11, 1991	Guidelines Governing the Confiscation, Seizure and Disposition of Wild Flora and Fauna Illegally Collected, Gathered, Acquired Transported and Imported Including Paraphernalia
DENR A O No 48, Series of 1991	September 13, 1991	Establishment of a National List of Rare (R), Endangered (E), Threatened (T) Vulnerable (V), Indeterminate (I), and Insufficiently Known (K) Species of Philippine Wild Birds, Mammals and Reptiles
DENR A O No 55, Series of 1991	October 21, 1991	Declaring Dugong or Sea Cow (<i>Dugong dugon</i>) as Protected Marine Mammal of Philippines

8. Who are the contact persons and addresses of the participating agencies?

	Address	Tel. No.
Dir Corazon Catibog-Sinha	Protected Areas & Wildlife Bureau Quezon Ave, Diliman, QC	9246031
Atty. Norberto Capistrano	Department of Environ- ment & Natural Resources Visayas Ave, Diliman, QC	976626 Loc 2091
Roberto Belen	SAID-SCO DENR, Visayas Ave, QC	976626 Loc 2091
Atty. Antonio Orosa	Oposa Law Office Rm 1807 Tower I, City Land 10, Ayala Ave, Cor de la Costa St, Salcedo Village, Makati	8166775/ 8177088
Dr. Lydia C. Mangahas	NGO-PAWS 786 Aurora Blvd., QC	7217879

9. What can you do to help in the success of SAGIP WILDLIFE?

There are countless ways to contribute to this project

- a Be well informed about wildlife Visit nature parks near you.
- b Know what's happening about wildlife and their habitats in your place
- c Plant trees and shrubs and colorful flowering plants
- d Provide backyard wildlife refuges

- e Understand wildlife laws
- f Join conservation organizations and be a wildlife saver
- g Adopt an endangered animal or plant.
- h Call the attention of elected government officers about saving endangered species and habitats.
- i Don't buy wild plants and animals and their by-products and derivatives
- j Report any illegal trades or wildlife to government authorities or concerned organizations
- k Be a friend to wildlife
- l Do not pollute your surroundings
- m Keep the environment clean and green.

10. What is the source of funding for Sagip Wildlife?

Financial support is extended by the Foundation for Philippine Environment (FPE)

ANNEX "A"

National list of priority Species of Philippine
Wild Birds, Mammals and Reptiles

AVES

ORDER PELECANIFORMES
FAMILY PELECANIDAE

COMMON NAME	SCIENTIFIC NAME	STATUS
1 Spot-billed Pelican Philippine Pelican	<u>Pelecanus philippenensis</u>	IUCN (T)

ORDER CICONIIFORMES
FAMILY ARDEIDAE

2 Japanese Bittern/ Japanese Night Heron	<u>Gorsachius goisagi</u>	IUCN (T)
3 Chinese Egret	<u>Egretta culophotes</u>	IUCN (T)

FAMILY CICONIIDAE

4 Woolly-necked stork/ White-necked stork	<u>Ciconia episcopus</u>	IUCN (V)*
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FAMILY THRESKIORNITHIDAE

5 Black-faced Spoonbill/ lesser Spoonbill	<u>Plataleaminor</u>	IUCN (T)
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ORDER FALCONIFORMES
FAMILY ACCIPITRIDAE

6 Crested Lizard Hawk	<u>Aviceda jerdoni magnirostris</u>	CITES (II)
7 Barred Honey Buzzard	<u>Pernis celebensis steerei</u>	CITES (II)
8 Asiatic Honey Buzzard	<u>Pernis apivorus</u>	CITES (II)

9. Black-winged kite	<u>Elanus caeruleus hypoleucus</u>	CITES (II)
10. Black-eared kite	<u>Milvus migrans lineatus</u>	CITES (II)
11. Brahminy Kite/White & Red Eagle Kite	<u>Haliastur indus intermedius</u>	CITES (II)
12. White-breasted Sea Eagle	<u>Haliaeetus leucogaster</u>	CITES (II)
13. Gray-headed Fishing Eagle	<u>Ichthyophaga ichthyactis</u>	CITES (II)
14. Serpent Eagle	<u>Spilornis holospilus</u>	CITES (II)
15. Marsh Harrier	<u>Circus aeruginosus spilonotus</u>	CITES (II)
16. Pied Harrier	<u>Circus melanoleucus</u>	CITES (II)
17. Asiatic Sparrow Hawk	<u>Accipiter gularis</u>	CITES (II)
18. Philippine Sparrow Hawk	<u>Accipiter virgatus confusus</u>	CITES (II)
19. Crested Goshawk	<u>Accipiter trivirgatus</u>	CITES (II)
20. Chinese Hawk/ Gray Frog Hawk	<u>Accipiter solpensis</u>	CITES (II)
21. Gray-faced Buzzard	<u>Butastur indicus</u>	CITES (II)
22. Common Buzzard	<u>Buteo buteo japonensis</u>	CITES (II)
23. Philippine Eagle/ Monkey-Eating Eagle	<u>Pithecophaga jefferyi</u>	CITES (II) IUCN (E)

24. Rufous-bellied Dwarf Eagle *Hieraetus kieneri formosus* CITES (II)

25. Changeable hawk Eagle *Spizaetus cirrhatus limnacetus* CITES (II)

26. Philippine Hawk Eagle *Spizaetus philippenensis* CITES (II)

FAMILY PANDIONIDAE

27. Osprey *Pandion haliaetus* CITES (II)

FAMILY FALCONIDAE

28. Philippine Falconet *Microhierax erythrogenys* CITES (II)

29. Kestrel *Falco tinnunculus interstinctus* CITES (II)

30. Oriental Hobby *Falco severus severus* CITES (II)

31. Peregrine Falcon *Falco peregrinus ernesti* CITES (I)

32. Migratory Peregrine falcon *Falco peregrinus calidus* CITES (I)

**ORDER GALLIFORMES
FAMILY MEGAPODIIDAE**

33. Philippine Megapode/ Incubator Bird *Megapodius freycinet* CITES (II)

FAMILY PHASIANIDAE

34. Palawan Peacock Pheasant *Polyplectron emphanum* CITES (I)
IUCN (V)

**ORDER GRUIFORMES
FAMILY TURNICIDAE**

35. Worcester's Button Quail *Turnix worcesteri* IUCN (K)

FAMILY GRUIDAE

36. Easter Sarus Crane *Grus antigone sharpii* CITES (II)

**ORDER CHARADRIIFORMES
FAMILY SCOLOPACIDAE**

37. Pygmy Curlew *Numenius minutus* CITES (II)

38. Long-billed Curlew *Numenius madagascariensis* CITES (I)

39. Spotted Greenshank *Tringa guttifer* CITES (I)
IUCN (T)

40. Oriental Dowitcher/ Asian Dowitcher *Limnodromus semipalmatus* IUCN (R)

FAMILY LARIDAE

41. Chinese Crested Tern *Sterna zimmermanni* IUCN (I)

**ORDER COLUMBIDAE
FAMILY COLUMBIDAE**

42. Flame-breasted/ Marche's Fruit Dove *Ptilinopus marchei* IUCN (K)

43. Negros Fruit Dove *Ptilinopus arcanus* IUCN (T)

44. Mindoro Imperial Pigeon *Ducula mindorensis* CITES (I)
IUCN (T)

45. Spotted Imperial Pigeon *Ducula carola* IUCN (K)

46	Luzon Bleeding Heart Pigeon	<u>Gallicolumba luzonica</u>	CITES (II)
47	Mindoro Bleeding Heart Pigeon	<u>Gallicolumba luzonica platenae</u>	CITES (II) IUCN (T)
48	Negros Bleeding Heart Pigeon	<u>Gallicolumba luzonica keayi</u>	CITES (II) IUCN (T)
49	Sulu Bleeding Heart Pigeon	<u>Gallicolumba luzonica menagei</u>	CITES (II) IUCN (T)
50	Nicobar Pigeon	<u>Caloenas nicobarica</u>	CITES (I) IUCN (T)
51	Grey Imperial Pigeon	<u>Ducula pickeringii</u>	IUCN (T)
52	Superb Fruit Dove	<u>Ptilinopus superbus</u>	CITES (I)*

ORDER PSITTACIFORMES
FAMILY PSITTACIDAE

53	Mt Apo Lorikeet/ Mindanao Lorikeet	<u>Trichoglossus johnstoniae</u>	CITES (II)
54	Philippine Cockatoo/ Red-vented Cockatoo	<u>Kakatoe haematuropygia</u>	CITES (II) IUCN (K)
55	Blue-headed Racket-tailed Parrot	<u>Prioniturus discurus</u>	CITES (II) IUCN (T)
56	Crimson-spotted Racket-tailed Parrot	<u>Prioniturus montanus</u>	CITES (II) IUCN (K)
57	Palawan Racket-tailed Parrot	<u>Prioniturus platenae</u>	CITES (II)

58.	Green-headed Racket-tailed Parrot	<u>Prioniturus luconensis</u>	CITES (II) IUCN (K)
59	Blue-naped Parrot	<u>Tanygnathus lucionensis</u>	CITES (II) IUCN (E)*
60.	Large-billed Parrot	<u>Tanygnathus megalorhynchus</u>	CITES (II)
61	Blue-backed Parrot	<u>Tanygnathus sumatranus</u>	CITES (II)
62	Guarabero	<u>Bolbopsittacus lunulatus</u>	CITES (II)
63	Philippine Hanging Parakeet	<u>Loriculus philippensis</u>	CITES (II)

ORDER CUCULIFORMES
FAMILY CUCULIDAE

64	Steere's Coucal	<u>Centropus steerii</u>	IUCN (K)
65	Scale-feathered cuckoo/ Scale-feathered malkoha	<u>Phoenicophaeus cumingi</u>	CITES (II)*

ORDER STRIGIFORMES
FAMILY TYTONIDAE

66	Philippine Grass Owl	<u>Tyto capensis amauronata</u>	CITES (II)
67	Bay Owl	<u>Phodilus badius badius</u>	CITES (II)

FAMILY STRIGIDAE

68	Scops Owl	<u>Otus scops</u>	CITES (II)
69.	Luzon Slender-billed Scops Owl	<u>Otus scops longicornis</u>	CITES (II)
70	Mindoro Scops Owl	<u>Otus scops mindorensis</u>	CITES (II) IUCN (K)

71. Rufous Scops Owl	<u>Otus rufescens burbidgei</u>	CITES (II)
72. Oriental Screech Owl	<u>Otus bakkamoena</u>	CITES (II)
73. Giant Scops Owl	<u>Otus gurneyi</u>	CITES (I)
74. Philippine Eagle Owl/ Philippine Horned Owl	<u>Bubo philippenensis</u>	CITES (II)
75. Philippine Boobook Owl	<u>Ninox philippenensis</u>	CITES (II)
76. Oriental Hawk Owl/ Philippine Hawk Owl	<u>Ninox scutulata</u>	CITES (II)
77. Seloputo Owl/Spotted Wood Owl	<u>Strix seloputo</u>	CITES (II)
78. Short-eared Owl	<u>Asio flammeus flammeus</u>	CITES (II)

**ORDER CORACIIFORMES
FAMILY ALCEDINIDAE**

79. Philippine Forest Kingfisher	<u>Ceyz melanurus</u>	IUCN (K)
80. Wichell's Kingfisher	<u>Halcyon winchelli</u>	IUCN (K)
81. Blue-capped Kingfisher or Hombron's kingfisher	<u>Halcyon hombroni</u>	IUCN (T)

FAMILY BUCEROTIDAE

82. Tarric Hornbill	<u>Penelopides panini</u>	CITES (II)*
83. Writhed billed Hornbill	<u>Aceros leucephalus</u>	CITES (II)*
84. Palawan Hornbill	<u>Anthracoceros marchei</u>	CITES (II)*
85. Sulu Hornbill	<u>Anthracoceros montani</u>	IUCN (T)

86. Rufous Hornbill	<u>Buceros hydrocorax</u>	IUCN (E)*
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**ORDER PICIFORMES
FAMILY PICIDAE**

87. Three-toed Woodpecker	<u>Dinopium javanense everetti</u>	CITES (II)*
88. Great Slaty Woodpecker	<u>Mulleripicus pulverulens pulverulentus</u>	CITES (II)*
89. Sooty Woodpecker	<u>Mulleripicus funebris</u>	CITES (II)*
90. White-bellied Black	<u>Dryocopus javanensis</u>	CITES (II)*
91. Pygmy Woodpecker	<u>Dendrocopos maculatus</u>	CITES (II)*
92. Crimson-backed Woodpecker	<u>Chrysocolaptes lucidus</u>	CITES (II)*

**ORDER PASSERIFORMES
FAMILY EURYLAIMIDAE**

93. Wattled Broadbill	<u>Eurylaimus steerii</u>	IUCN (K)
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FAMILY PITTIDAE

94. Koch's Pitta or Whiskered Pitta	<u>Pitta kochi</u>	CITES (I) IUCN (K)
95. Steere's Pitta	<u>Pitta steerii</u>	IUCN (T)

FAMILY CAMPEPHAGIDAE

96. Black Graybird	<u>Coracina coerulescens</u>	IUCN (K)
97. White-winged Cuckoo-Shrike/Graybird	<u>Coracina ostenia</u>	IUCN (T)

FAMILY PYCNONOTIDAE

98 Mottled-breasted Bulbul Hypsipetes siquijorensis IUCN(K)

FAMILY MUSCICAPIDAE

99 White-throated Jungle Flycatcher Rhinomyias gularis albigularis IUCN(T)

100 White-browed/Luzon Jungle Flycatcher Rhinomyias insignis IUCN(K)

101 Vaurie's Flycatcher or Cryptic Flycatcher Ficedula crypta IUCN(K)

102. Blue-breasted Flycatcher Cyornis herioti IUCN(T)

103 Short-crested Monarch Hypothymis helenae IUCN(T)

104. Celestial Blue Monarch Hypothymis coelesis IUCN(T)

105 Good Fellow's Jungle Flycatcher Rhinomyias goodfellowi IUCN(V)*

FAMILY TURDIDAE

106 Philippine Water Redstart Rhyacornis bicolor IUCN(T)

107 Cebu Black Shama Coosychus cebuensis IUCN(T)

108 White-browed Shama Coosychus luzoniensis IUCN(II)*

109. Ashy Ground Thrush Zoothera cinerea IUCN(K)

FAMILY TIMALLIDAE

110. Bagobo Babbler Leonardina woodi IUCN(T)

111. Streaked Ground Babbler Ptilocichla mindanensis IUCN(K)

112 Luzon Wren-babbler Napothera rabori rabori IUCN(T)

113. Striped Tree-babbler Stachyris striata IUCN(K)

114. Miniature Tit-babbler Micromacronus leytensis IUCN(K)

115. Negros Tree-babbler Stachyris nigrorum IUCN(T)

FAMILY RHABDORNITHIDAE

116 Plain-headed Creeper/ Long-billed Creeper Rhabdornis inornatus grandis IUCN(T)

FAMILY FRINGILLIDAE

117 Japanese Yellow Bunting Emberizza sulphurata IUCN(T)

118 Philippine Bullfinch Pyrrhula leucogenys IUCN(V)*

FAMILY ESTRILDIDAE

119. Green-faced Parrotfinch Erythrura viridifacies IUCN(K)

120 Mindanao Parrotfinch Erythrura coloria IUCN(T)

FAMILY ORIOLIDAE

121 Isabella Oriole Oriolus isabellae IUCN(K)

FAMILY STURNIDAE

122. Mt. Apo Myna *Basilornis miranda* IUCN(K)*

123 Hill Myna/Talking Myna *Gracula religiosa palawanensis* CITES(I)*

FAMILY ZOSTEROPIDAE

124. Goodfellow's White-eye
Lophozosterops goodfellowi IUCN(K)*

125. Cinnamon White-eye *Hypocryptadius cinnamomeus* IUCN(K)*

NOTE: (*) - Proposed for inclusion under the specified list

MAMMALIA

**ORDER ARTIODACTYLA
FAMILY BOVIDAE**

1. Tamaraw *Bubalus mindorensis* CITES

FAMILY CERVIDAE

2. Spotted Sambar Deer *Cervus alfredi* IUCN(E)

3 Calamian Deer *Cervus porcinus* IUCN(V)

4 Philippine Deer or Luzon Sambar Deer *Cervus mariannus* IUCN(R)

FAMILY TRAGULIDAE

5 Mouse Deer *Tragulus napu* Proposed for inclusion under CITES III

**ORDER CARNIVORA
FAMILY FELIDAE**

6 Little Leopard Cat *Felis bengalensis* CITES(II)

FAMILY MUSTELIDAE

7 Dwarf Small Clawed Other or Clawless Otter *Amblonyx cinerea* CITES(II) IUCN(K)

**ORDER RODENTIA
FAMILY MURIDAE**

8 Luzon Forest Rat or Philippine Bush Rat *Batomys granti* IUCN(I)

FAMILY ERINACEIDAE

9 Mindanao Gymnure *Podogymnura truei* IUCN(V)

**ORDER PRIMATES
FAMILY LORISIDAE**

10. Slow Loris or Slow Lemur *Nycticebus menagensis* CITES (II)

FAMILY CERCOPITHECIDAE

11. Philippine Monkey or Long-tailed Macaque *Macaca fascicularis* CITES (II)

FAMILY TARSIIDAE

12. Philippine Tarsier *Tarsius syriacha* IUCN (E)

FAMILY TUPAIIDAE

13. Philippine Tree Shrew or Mindanao Slender Tailed Shrew *Urogale everetti* CITES (II)

14. Palawan Tree Shrew *Tupaia p. palawanensis* CITES (II)

**ORDER SIRENEA
FAMILY DUNGONGIDAE**

15. Sea Cow or Dugong *Dugong dugon* IUCN (V)
CITES (I)
Proposed for
Upliftment to
endangered
category

**ORDER CHIROPTERA
FAMILY ACERODON**

16. Panay Flying Fox or Panay Giant Fruit Bat *Acerodon lucifer* CITES (II)

17. Chapman's Fruit Bat *Dobsonia exoleta chapmani* CITES (II)

18. Giant Fruit Bat *Acerodon jubatus mindanensis* CITES (II)

19. Dawn Bat *Eonycteris spelaea glandifera* CITES (II)

20. Long-tongued Fruit Bat *Macroglossus lagochilus lagochilus* CITES (II)

21. Harpy Fruit Bat *Harpionycteris whiteheadi* CITES (II)

FAMILY PTEROPIDAE

22. Dog-Faced Fruit Bat *Cynopterus brachyotis luzoniensis* CITES (II)

23. Short-nosed Fruit Bat *Ptenochirus jagori* CITES (II)

24. Geoffroy's Rousette Bat *Rousettus amplexicaudatus* CITES (II)

25. Philippine Flying Fox or Philippine Giant Fruit Bat *Pteropus vampyrus lanensis* CITES (II)

26. Fruit Bat *Pteropus spectosus* CITES (II)

**ORDER PHOLIDOTA
FAMILY MANIDAE**

27. Palawan Scaly Anteater *Manis javanica* CITES (II)

REPTILIA

ORDER CROCODYLIA FAMILY CROCODYLIDAE

- | | | | |
|---|---------------------------------------|-------------------------------|---------------------|
| 1 | Philippine or
freshwater crocodile | <i>Crocodylus mindorensis</i> | IUCN(E)
CITES(I) |
| 2 | Estuarine or
saltwater crocodile | <i>Crocodylus porosus</i> | CITES(I) |

ORDER SAURIA FAMILY VARANIDAE

- | | | | |
|---|--|-------------------------|-----------------------|
| 3 | Gray Monitor lizard | <i>Varanus grayi</i> | IUCN(R);
CITES(II) |
| 4 | Variable Malay
Monitor Lizard or
Variable Monitor Lizard | <i>Varanus salvator</i> | CITES(II) |

FAMILY AGAMIDAE

- | | | | |
|----|----------------|-------------------------------|---------|
| 5. | Sailfin lizard | <i>Hydrosaurus postulosus</i> | IUCN(R) |
|----|----------------|-------------------------------|---------|

ORDER SERPENTES FAMILY BOIDAE

- | | | | |
|---|--------------------|---------------------------|-----------|
| 6 | Reticulated python | <i>Python reticulatus</i> | CITES(II) |
|---|--------------------|---------------------------|-----------|

ORDER TESTUDINATA FAMILY CHELONIIDAE

- | | | | |
|---|---------------------|-------------------------------|----------------------|
| 7 | Hawksbill turtle | <i>Eretmochelys imbricata</i> | IUCN(E);
CITES(I) |
| 8 | Olive-ridley turtle | <i>Lepidochelys olivacea</i> | IUCN(E),
CITES(I) |
| 9 | Green sea turtle | <i>Chelonia mydas</i> | IUCN(E),
CITES(I) |

- | | | | |
|-----|--|-----------------------------|----------------------|
| 10 | Leatherback turtle | <i>Dermochelys coriacea</i> | IUCN(E);
CITES(I) |
| 11. | Leyte Pond Turtle
or Leyte Freshwater
Turtle | <i>Heosemys leytensis</i> | IUCN(I) |

Note: IUCN (K) - Insufficiently known
(R) - Rare
(V) - Vulnerable
(E) - Endangered
(T) - Threatened
CITES (I) - Listed under Appendix I of CITES
(II) - Listed under Appendix II of CITES

DEFINITION OF TERMS

The following terms, as used in this shall be construed to mean as follows:

1. Rare (R) - species and subspecies of wildlife found only in one particular area or only in a few areas in the Philippines in very highly specialized habitat types but occur only in very small numbers and are therefore, seldom met with even within their preferred habitat types. Their populations are not at present endangered or vulnerable but are at risk;

2 Endangered (E) - species and subspecies of wildlife whose populations are in danger of extinction and whose survival is unlikely if the casual factors continue operating:

3. Threatened (T) - species and subspecies of wildlife whose populations throughout the islands where, they are found have suffered high degree of depletions to the point of having their numbers reduced to the minimum, below which said species or subspecies will totally become extinct;

4 Vulnerable (V) - species and subspecies of wildlife whose populations are still sizeable but are under threat from serious adverse

factors throughout their range and are believed likely to move to the endangered category in the near future;

5 Indeterminate (I) - species and subspecies of wildlife whose populations are suspected of belonging to either one of the E, V & R categories but for which insufficient information is currently available to determine definite status;

6 Insufficiently Known (K) - species and subspecies of wildlife that are suspected but not definitely known to belong to any of the above categories because of the lack of information,

7 CITES Appendix I (I) - trade of species and subspecies of wildlife listed under this Appendix is strictly prohibited except for educational, scientific or research and study purposes,

8 CITES Appendix II (II) - trade of species and subspecies of wildlife listed under this Appendix is strictly regulated,

9 CITES Appendix III (III) - populations of species and subspecies of wildlife listed under this Appendix highly need local protection set under national policies as determined by the country's CITES Management Authority,

10 Collection - refers to trapping, hunting, taking, amassing, gathering, and/or owning through any mode of acquisition any species of wildlife listed herein, and

11 Trade - the act of purchasing, selling, offering or exposing for sale, or having in possession for sale, live or dead, or any part of wildlife species listed herein

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December 19, 1987

DENR Administrative Order
No. 96
Series of 1988

SUBJECT : Policies on the Allocation of Quota on Wildlife.

Pursuant to the Provisions of Republic Act No. 2590, as amended:

Presidential Decree No. 705, as amended; and Executive Order No. 192 dated 10 June 1987, and in line with the government's policy in the sustainable use and equitable distribution of the country's natural resources, particularly wildlife; and cognizant of the importance of protecting and conserving rare, endangered, threatened, and economically important Philippine flora and fauna listed under the Convention on International Trade and Endangered Species of Wild Fauna and Flora (CITES); the following policies and guidelines on the allocation of wildlife quota are hereby established and promulgated for the information and guidance of all concerned.

I General Policy

Starting in 1990, there shall be a gradual phase-out in the collection and exportation of fauna from the wild. The schedule for the reduction and total phase-out shall be:

1. Avian species - starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
2. Herpetiles - starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
3. Mammals - starting in 1990 and in every succeeding year, a 20% national quota reduction shall be imposed until its final phase-out in 1994.
4. Invertebrates - starting in 1990 and in every succeeding year, a 15% national quota reduction shall be imposed until its final phase-out in 1994.

II Policy on the Allocation of Quota.

The quota for 1988 shall be allocated only to qualified applicants under the category of renewal and determined on the basis of the permittee's past collection and export performance and operation and management capability. For the succeeding years, the quota shall be allocated as determined by a Committee, composed of experts from the DENR, Academe, non-governmental organizations, and a representative from the wildlife exporter group, which shall assess and evaluate the capability of the

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applicant for sustainable breeding of the various species in captivity.

To further implement the above policies, the following guidelines shall be adopted.

- A. All applications for wildlife collectors and breeding farm permits shall be accompanied by:
 1. A detailed wildlife captive-breeding program;
 2. Details of the farm facilities, such as water and electrical facilities, holding cages and their capacities;
 3. Proof of scientific expertise and management capability;
 4. Statement showing financial capability to go into breeding; and
 5. Environmental Impact Assessment (EIA) clearance from the Environmental Management Bureau (EMB) of this Department.
- B. All wildlife collector's and export's permit issued in 1988 shall expire on 15 February 1989.
- C. The schedule for filing wildlife collector's and breeding farm permits for commercial purposes shall be from 13 December to 15 January of the following year; while the processing and evaluation of such applications shall be from 15 January to 15 February. Hence, all permits shall be made effective 16 February and to expire on 15 February of the following year.
- D. Applications for gratuitous permits to establish zoological and botanical farms to collect limited numbers of wild flora and fauna could be filed anytime of the year by institutions and/or individuals engaged in research and/or educational projects.
- E. All breeders, progenies, and wildlife collections for export shall bear the official code prescribed by the Protected Areas and Wildlife Bureau (PAWB) of this Department.
- F. All progenies shall be reported to the DENR two (2) weeks after birth in the case of vertebrates and one (1) day after the start of the pupal stage, or its equivalent, for invertebrates.
- G. For invertebrates, 10% of the progenies shall be retained as new breeders, or for release back into wild. However, to maintain the quality of progenies of both vertebrates and invertebrates, new breeders from the wild shall be allowed for collection upon request and as may be determined appropriate by the DENR.
- H. The quota for new breeders shall be allocated and determined by the aforesaid Committee.

BEST AVAILABLE COPY

I. Upon the termination/expiry of a permit, an inventory of the remaining stocks shall immediately be conducted by the PAWB/DENR for accreditation purposes

This Order supercedes and amends other pertinent provisions of any previous orders (s) and/or instruction(s) which are inconsistent herewith.

This Order takes effect immediately.

ORIGINAL SIGNED
FULGENCIO S. FACTORAN, JR.
Secretary

Salient Points of DENR Administrative Order No. 96 series 1988 entitled : Policies and Allocation Quota on Wildlife.

I. General Policy

Starting in 1990, there shall be a gradual phase out in the collection and exportation of fauna from the wild. The schedule for the reduction and total phase-out shall be :

- A. Avian Species - starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
- B. Herpetiles - starting in 1990 and in every succeeding year, a 10% national quota reduction shall be imposed until its final phase-out in 1994.
- C. Mammals - starting in 1990 and in every succeeding year, a 20% national quota reduction shall be imposed until its final phase-out in 1994.
- D. Invertebrates - starting in 1990 and in every succeeding year, a 15% national quota reduction shall be imposed until its final phase-out in 1994.

II. Policy on the Allocation of Quota

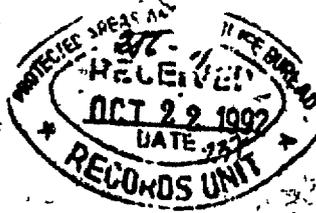
The quota for 1988 shall be allocated only to qualified applicants under the category of renewal and determined on the basis of the permittee's past collection and export performance and operation and management capability. For the succeeding years, the quota shall be allocated as determined by Committee, compound of experts from the DENR, Academic, non-governmental organizations, and a representative from the wildlife exporter group, which shall assess and evaluate the capability of the applicant for sustainable breeding of the various species in captivity.

- A. All wildlife collector's and exporter's valid permits issued in 1988 shall expire on 15 February 1989.

- B. The schedule for filing wildlife collector's and breeding farm permits for commercial purposes shall be from 13 December to 15 January of the following year; while the processing and evaluation of such applications shall be from 15 January to 15 February. Hence, all permits shall be made effective 16 February and to expire on 15 February of the following year.
- C. All breeders, progenies, and wildlife collections for export shall bear the official code prescribed by the Protected Areas and Wildlife Bureau (PAWB) of this Department.
- D. All progenies shall be reported to the DENR two (2) weeks after birth in the case of vertebrates and one (1) day after the start of the pupal stage, or its equivalent, for invertebrates.
- E. For invertebrates, 10% of the progenies shall be retained as new breeders, or for release back into the wild. However, to maintain the quality of progenies of both vertebrates and invertebrates, new breeders from the wild shall be allowed for collection upon request and as may be determined appropriate by the DENR.



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES



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P. J. M.
10/21/92

DENR Administrative Order
No. 47
Series of 1992

SUBJECT: Amending DENR AO NO. 30 S. of 1990
entitled "1990 Quota for certain
wildlife species that may be collected
from the wild under a wildlife permit
for Commercial Purposes"

Some pertinent provisions of DENR AO 30 are hereby
amended to read as follows:

Philippine Cockatoo (Cacatua haematuropygia) under
Order Psittaciformes is hereby DELETED from the list of
species of wildfauna that may be allowed for collection for
commercial purposes.

All other species of wildfauna that are not
included/enumerated in the aforementioned including
Philippine Cockatoo are BANNED from collection except that a
special permit may be granted by the Secretary for
scientific or research purposes.

Previous orders, circulars inconsistent herewith are
hereby revoked.

This order takes effect immediately.

ANGEL C. ALCALA
Secretary

APPENDIX V

MALACANANG
Manila

PRESIDENTIAL DECREE NO. 704

REVISING AND CONSOLIDATING ALL LAWS AND
DECREES AFFECTING FISHING AND FISHERIES

WHEREAS, fish is one of the major and cheapest sources of protein in the diet of the Filipino people;

WHEREAS, 2.2 million Filipinos depend directly on the fishery industry for their livelihood;

WHEREAS, the Philippines continues to import fish and fishery product in substantial quantities because of the insufficiency of domestic production;

WHEREAS, there is a compelling need to increase the production of fish to bring down its price to a level which will be within the reach of our people, and at the same time insure the continuity of our fishery resources in productive condition through wise utilization and proper conservation;

WHEREAS, the vast fishery resources of the Philippines have remained largely untapped due to unnecessary constraints brought by existing laws and regulations and by the failure to provide an integrated development program for the industry; and

WHEREAS, there is an urgent need to revise and consolidate all laws and decrees affecting fishing and fisheries to make them even more responsive to the needs of the fishery industry;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree as part of the law of the land the following:

SECTION 1. Title. - This decree shall be known as the "Fisheries Decree of 1975."

Chapter I

DECLARATION OF POLICY
DEFINITION OF TERMS

SECTION 2. Declaration of policy. - It is hereby declared the policy of the State to accelerate and promote the integrated development of the fishery industry and to keep the fishery resources of the country in optimum productive condition through proper conservation and protection.

The government shall promote and encourage the organization of, provide assistance to, and help integrate the activities of persons, associations, cooperatives, and corporations engaged in the industry so that the nation may achieve the maximum economic utilization of its fishery resources. In this connection, the fishery industry shall be considered as a preferred area of investment.

The government shall also encourage and promote the exportation of fish and fishery/aquatic products to enable the fishery industry to contribute positively to the development and growth of the national economy.

The private sector's privilege to utilize a fishery resource shall be exercised or continued to be exercised only under the basic concept that the grantee, licensee or permittee thereof shall not only be a privileged beneficiary of the State but also an active participant and partner of the government in the conservation and development of the fishery resources of the country.

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SEC. 3. Definition of terms. - As used in this decree, the following terms are defined as follows:

- a) Bureau - means the Bureau of Fisheries and Aquatic Resources.
- b) Closed season - refers to the period during which fishing is prohibited in a specified area or areas in Philippine waters, or to the period during which the catching or gathering of specified species of fish or fishery/aquatic products or the use of specified fishing gear to catch or gather fish or fishery/aquatic products is prohibited.
- c) Commercial fishing - Fishing for commercial purposes in waters more than seven fathoms deep with the use of fishing boats more than three gross tons.
- d) Electro-fishing - means the use of electricity generated by dry cell batteries, electric generators or other sources of electric power to kill, stupefy, disable, or render unconscious fish or fishery/aquatic products in both fresh and salt water areas.
- e) Family-size fishpond - An area of fishpond that permits the efficient use of labor and capital resources of a family to produce an income sufficient to meet a family's need for food, clothing, shelter, health and education with reasonable reserves to absorb yearly fluctuation in income.
- f) Fish and fishery/aquatic products. - Fish includes all fishes and other aquatic animals such as crustaceans (crabs, prawns, shrimps and lobsters), mollusks (clams, mussels, scallops, oysters, snails, and other shellfish). Fishery/aquatic products include all other products of aquatic living resources in any form.
- g) Fishing boat - includes all boats, such as bancas, sailboats, motorboats or any other types of water licensed or not, used for fishing purposes: Provided, That any such boat used for the purpose of transporting the fish in the course of fishing operations shall be considered as a fishing boat.
- h) Fish corral or "baclad" - means a stationary weir or trap devised to intercept and capture fish, consisting of rows of stakes of bamboo, palma brava or other materials fenced with split bamboo matting or wire nettings with one or more enclosures usually with easy entrance but difficult exit, and with or without leaders to direct the fish to the catching chambers or purse.
- i) Fish pen - means fish enclosure made of closely-woven bamboo screens, nylon screens or nets, or other materials attached to poles staked to the water bottom for the purpose of growing and/or culture of fish to various sizes in both fresh and salt water areas.
- j) Fishery - is the business of catching, taking, handling, marketing and preserving fish or other fishery/aquatic products; the fishing grounds, and the right to fish or take such products therefrom.
- k) Fishery industry - includes fish producers, fish processors, fish traders, both wholesalers and retailers, and owners of refrigerating and cold storage plants serving the industry.
- l) Fishing with the use explosives - means the use of dynamite, other explosives, or chemical compound that contains combustible elements or ingredients that, upon ignition by friction, concussion, percussion, or detonation of all or parts of the compound, kill, stupefy, disable or render unconscious any fish or fishery/aquatic product. It shall also refer to the use of any other substance and/or device that causes explosion capable of producing the said harmful effects on fish or fishery/aquatic products.

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m) Fishing with the use of obnoxious or poisonous substance. - means the use of any substance, plants, extracts or juice thereof, chemicals, whether in raw or processed form, harmful or harmless to human beings, which kill, stupefy, disable, or render unconscious fish or fishery/aquatic products.

n) Fully developed fishpond - A clean, leveled area enclosed with dikes at least one foot higher than the highest flood water level in the locality and strong enough to resist water pressure at the highest flood tide, and consisting at least of a nursery pond, a transition pond, a rearing pond, or a combination of any or all of said classes of ponds, and a water control system.

o) Municipal and/or small-scale fishing - fishing utilizing fishing boats of three gross tons or less, or using gear not requiring the use of boats.

p) Municipal waters - include not only streams, lakes, and tidal waters included within the municipality, not being the subject of private ownership and not comprised within national parks, public forests, timber lands, forest reserves or fishery reserves but also marine waters included between two lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline and three nautical miles from such coastline. Where two municipalities are so situated on the opposite shores that there is less than six nautical miles of marine waters between them, the third line shall be a line equidistant from the opposite shores of the respective municipalities.

Disputes regarding jurisdiction over freshwater lakes not included within the limits of a municipality or freshwater or tidal streams forming boundaries between municipalities, shall be referred by the councils of the municipalities concerned to the provincial board.

q) Persons - include juridical entities such as associations, partnerships, cooperatives or corporations.

r) Philippine waters - include all bodies of water within Philippine territory, such as rivers, streams, creeks, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing, or which may hereafter exist in the provinces, cities, municipalities, municipal districts, and barrios; and the sea or fresh water around, between and connecting each of the islands of the Philippine archipelago, irrespective of its depth, breadth, length and dimension, and all other waters belonging to the Philippines by historic or legal title, including the territorial sea, the seabed, the insular shelves and other submarine areas over which the Philippines has sovereignty or jurisdiction.

s) Refrigerating and cold storage plants - consist of a set of refrigerating machinery housed in a building with cold storage compartments for making ice and freezing and storing fish and fishery/aquatic products exclusively for the fishery industry.

t) Secretary - means the Secretary of Natural Resources.

CHAPTER II

THE BUREAU OF FISHERIES AND AQUATIC RESOURCES

SEC. 4. Jurisdiction of the Bureau. - The Bureau shall have jurisdiction and responsibility in the management, conservation, development protection, utilization and disposition of all fishery and aquatic resources of the country except municipal waters which shall be under the municipal or city government concerned: Provided, That fish pens and

seaweed culture in municipal centers shall be under the jurisdiction of the Bureau: Provided, Further, That all municipal or city ordinances and resolutions affecting fishing and fisheries and any disposition thereunder shall be submitted to the Secretary for appropriate action and shall have full force and effect only upon his approval. The Bureau shall also have the authority to regulate and supervise the production, capture and gathering of fish and fishery/aquatic products.

The Bureau shall prepare and implement, upon approval of the Fishery Industry Development Council, a Fishery Industry Development Program.

SEC. 5. Supervision and Control. -The Bureau shall be directly under the control and supervision of the Secretary of Natural Resources.

SEC. 6. Review. -All actions and decisions of the Director of Fisheries and Aquatic Resources are subject to review, motu proprio or upon appeal of any person aggrieved thereby, by the Secretary whose decision shall be final and executory after the lapse of thirty (30) days from receipt by the aggrieved party of said decision, unless appealed to the President in accordance with Executive Order No. 10, series of 1966. The decision of the Secretary may not be reviewed by the courts except through the special civil action of certiorari and prohibition.

SEC. 7. Rules and Regulations. - The Secretary shall, upon recommendation of the Director, promulgate rules and regulations to implement effectively the provisions of the Code. Such rules and regulations shall, unless otherwise herein provided, take effect fifteen (15) days after its publication in the Official Gazette and/or two newspapers of general circulation.

SEC. 8. Technical Assistance and Training Program. - The Bureau shall undertake or arrange special technical assistance and training programs for the enhancement of the fishery industry and provide assistance to fishery educational institutions in their research and instructional activities, and in connection therewith to maintain and operate fishing boats.

SEC. 9. Research and Demonstration Service. -The Bureau shall conduct research and studies regarding fish and fishery/aquatic products; establish fish hatcheries, nurseries and demonstration fishponds; conduct experiment and demonstration services on fish capture and gathering; fishery/aquatic products, and the culture and processing thereof; conduct oceanographic and limnological surveys; and disseminate the result of such research, studies and surveys.

SEC. 10. Fish Landing Points. -The Bureau shall determine and designate fish landing points where all commercial fishing boats shall land and unload their catch: Provided, That all fish landing points established prior to the effectivity of this Decree shall be considered authorized fish landing points: Provided, Further, That any fish landing point may, if circumstances so warrant, be closed.

SEC. 11. New Divisions in the Bureau. - To carry out efficiently its functions under this Decree, the following new divisions are hereby created in the Bureau: Legal Division, Fisheries Conservation and Enforcement Division, Fisheries Extension Division, Fisheries Utilization Division, Fisheries Engineering Division, and Fisheries Training Division: Provided, That the new divisions shall be staffed by the Director from qualified personnel of the Bureau as first priority, and proposals for additional necessary personnel shall be included in the Bu-

CHAPTER III

THE FISHERY INDUSTRY DEVELOPMENT COUNCIL

SEC. 12. Creation and Membership of the Council. -To implement the policy enunciated in Section Two of this Decree, there is hereby created a Fishery Industry Development Council, hereinafter referred to as the Council, which shall be composed of the following:

- Secretary of Natural Resources - - - - - Chairman
- Secretary of Agriculture - - - - - Member
- Secretary of National Defense - - - - - Member
- Secretary of Trade - - - - - Member
- Secretary of Public Works, Transportation
and Communications - - - - - Member
- Governor of the Central Bank of the
Philippines - - - - - Member
- Chairman of the Development Bank of the
Philippines - - - - - Member
- President of the Philippine National Bank . . . Member
- Chairman of the Board of Investments - - - - - Member
- Director of Fisheries and Aquatic Resources - - Member and
Executive Officer
- A representative of the inland fisheries
associations - - - - - Member
- A representative of the marine fisheries
associations - - - - - Member.

The two representatives from the private sector shall be appointed for a term of two (2) years by the Secretary upon the recommendation of the Director.

Upon effectivity of this Decree, the Council shall be constituted. The Council shall meet at least once a month: Provided, That the Chairman may convene the Council in special meetings to consider urgent matters. If the Chairman cannot attend any meeting, the members present shall select from among themselves a temporary presiding officer. If any of the members shall not be able to attend any meeting of the Council, he shall send a duly authorized representative to exercise his powers and perform his functions.

The Council shall adopt rules and regulations necessary to govern its proceedings.

The Executive Officer shall be charged with the duty of implementing the policies and guidelines established by the Council.

SEC. 13. Functions of the Council. - The Council shall formulate and establish comprehensive policy guidelines for the management, protection, conservation and utilization of the fishery/aquatic resources of the country and for the creation of a healthy investment climate for

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the development of the fishery industry. It shall collate data and information from member agencies and the private sector for the formulation of policy guidelines.

SEC. 14. Council Secretariat and its Director. - The Council shall have a secretariat which shall furnish the necessary administration, secretarial and other service support to the Council. The secretariat shall be under the direction and supervision of a Secretariat Director who shall be appointed, and whose compensation shall be fixed, by the Chairman of the Council. The personnel of the Secretariat shall be appointed, and their compensation fixed, by the Chairman upon recommendation of the Secretariat Director.

SEC. 15. Role of Member-Agencies. -

A. The Central Bank of the Philippines, through the Monetary Board, shall be primarily responsible for seeking ways and means of financing the requirements of the Program in all its aspects. For this purpose, it shall, in addition to its present powers and functions, undertake the following activities:

1. Coordinate the policies, programs and activities of all banks and financial institutions relating to the grant or extension of credit to persons, associations, cooperatives, and corporations engaged in the fishery industry;
2. Facilitate the grant of preferential rates in the re-discounting of papers involving loans for the fishery industry; and
3. Facilitate the grant of concessionary rate of interest on loans for the development of the fishery industry upon certification by the Director of Fisheries and Aquatic Resources.

B. The Department of National Defense, principally through the Philippine Coast Guard, shall extend all assistance, including personnel and equipment, as may be necessary in the enforcement of fishery laws, rules and regulations to help attain the aims and objectives of this Decree.

C. The Department of Agriculture shall:

1. Undertake soil sampling and provide or help provide fertilizers for fish farming purposes and
2. Perform such other functions as may be imposed upon it by law or requested by the Council in the acceleration of fish farming and/or in the furtherance of the objectives of this Decree.

D. The Department of Trade shall:

1. Plan and prepare such measures as may be necessary to promote exports of fish and fishery/aquatic products; and
2. Perform such other functions as may be imposed upon it by law or requested by the Council in furtherance of the objectives of this Decree.

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E. The Department of Public Works, Transportation and Communications shall:

1. Upon request of the Council, undertake site survey and investigation, draw plans for, and construct, infrastructure facilities for the fishery industry and
2. Perform such other functions as may be imposed upon it by law or requested by the Council in furtherance of the objectives of this Decree.

F. The private sector of the fishery industry shall direct their collective efforts towards a more active cooperation and coordination with government agencies to attain the objectives of this Decree. It shall:

1. Assume the primary responsibility of accelerating the development of the industry.
2. Conduct research and experiments in cooperation with government agencies
3. Allow implementing agencies of the government access to such statistical data and information as would be necessary in the formulation of sound policies; and
4. Take active participation, in collaboration with the Bureau and other government agencies, in technical manpower training by giving on-the-job training opportunities to fisheries apprentices, trainees and volunteers.

CHAPTER IV

UTILIZATION AND EXPLOITATION OF FISHERY/AQUATIC RESOURCES

SEC. 16. License, lease and permit. -No person shall exploit, occupy, produce, culture, capture or gather fish, or fry or fingerling of any species of fish or fishery/aquatic products, or engage in any fishery activity in Philippine or municipal waters without a license, lease or permit: Provided, That when due to destruction wrought upon fishponds, fishpens or fish nurseries by typhoons, floods and other fortuitous events, or due to speculation, monopolistic and other pernicious practices which tend to create an artificial shortage of fry and/or fingerling, the supply of fish and fishery/aquatic products can reasonably be expected to fall below the usual demand therefor and the price thereof, to increase, the Secretary, upon recommendation of the Director, is hereby authorized to fix a fair and reasonable price for fry and fingerling of any species of fish, and in so doing and when necessary, fix different price levels for various areas or regions taking into account such variable factors as availability, accessibility to transportation facilities, packing and crating, and to regulate the movement, shipment and transporting of such fry and fingerling: Provided, Further, That the price so fixed shall guarantee the gatherers of fry a just and equitable return for their labor: Provided,

Finally, That any administrative order issued by the Secretary to implement the foregoing shall take effect immediately, the provisions of Section 7 hereof to the contrary notwithstanding.

SEC. 17. Commercial fishing boat license and other licenses. - No person shall operate a commercial fishing boat, pearl fishing boat or fishing boat for scientific, research or educational purposes, or engage in any fishery activity, or seek employment as a fisherman without first securing a license from the Bureau: Provided, That no such special permit shall be required of a fishing boat engaged in scientific, research or educational purposes within Philippine waters pursuant to an international agreement of which the Philippines is a signatory, and which agreement defines the status, privileges and obligations of said boat and its crew and the non-Filipino officials of the international agency under which said boat operates: Provided, Further, That the members of the crew of a fishing boat used for commercial fishing, including but not limited to duly licensed and/or authorized patrons, marine engineers, radio operators and cooks, shall be considered as fishermen: Provided, Furthermore, That the commercial fishing boat license herein authorized to be granted shall allow the licensee to operate only in Philippine waters seven (7) or more fathoms deep subject to the conditions that may be stated therein and the rules and regulations that may, from time to time, be promulgated by the Secretary: Provided, Finally, That baby trawls using fishing boats of three (3) gross tons or less may operate in areas four (4) fathoms deep or more if authorized by existing municipal ordinances duly approved by the Secretary.

The Philippine Coast Guard shall perform all functions pertaining to the registration, documentation, inspection and manning of all types of fishing boats plying Philippine waters except those hereinabove vested in the Bureau of Fisheries and Aquatic Resources: Provided, That a fishing boat may, upon inspection and verification by the Maritime Safety Division and Naval Architecture and Engineering Section of the Philippine Coast Guard that the fishing boat is seaworthy and fit for operations, be accepted for registration, documentation, and licensing purposes: Provided, Further, That the coastwise license shall not be required of fishing boats.

Every boat of Philippine registry of 10 gross tons or more but less than 500 tons, which is operated exclusively as a fishing boat for catching and transporting fish in the territorial waters of the Philippines may be operated at least by one licensed deck officer and one licensed engine officer, the qualifications of whom shall be prescribed by the Philippine Coast Guard, which qualifications may, considering that the fishing boat will not transport passengers and/or cargo, be less than those required of similar officers employed in vessels engaged in the coastwise trade.

Any provision of law to the contrary notwithstanding, all fishing boats shall be provided with adequate medical supplies and life-saving devices to be determined by the Philippine Coast Guard: Provided, That a fishing boat twenty (20) gross tons or more shall have in its employ a person qualified as a First Aider duly certified by a government physician.

SEC. 18. Permit for Importation or Exportation of Fish or Fishery/Aquatic Products. - No person shall import or export any fish or fishery/aquatic product, whether adult or young, fry or fish eggs, for propagation or for other purposes, without first securing a permit therefor and paying the inspection and other fees: Provided, That exportation of fry, except 'bañgas' fry exportation of which is totally banned, shall be allowed only after the requirements of the domestic fishing industry are met: Provided, Further, That no other inspection fee shall be imposed and collected by any other government office or agency.

SEC. 19. Development of the Fish Meal Industry. - To maximize the utilization of fish and fishery products and to complement the development of the animal industry, steps shall be taken to promote the production of fish meal.

A. DEEP-SEA OR OFFSHORE FISHING

SEC. 20. Persons Eligible for Commercial Fishing Boat License. - No commercial fishing boat license shall be issued except to citizens of the Philippines or to associations or corporations duly registered in the Philippines, at least sixty per cent (60%) of the capital stock of which is owned by Filipino citizens. No person to whom a license has been issued shall sell, transfer, or assign, directly or indirectly, his stock or interest therein to any person not qualified to hold a license, and any such transfer, sale or assignment shall be null and void and shall not be registered in the books of the association or corporation.

For purposes of commercial fishing, fishing boats owned by citizens of the Philippines and corporations or associations qualified under this Section may be issued certificates of Philippine registry and such other documents as are necessary for fishing operations, any provision of law to the contrary notwithstanding: Provided, That the certificate of Philippine registry shall be valid only as long as the fishing boat is engaged in, or used for, fishing operations. For the purpose of this section, fishing operation includes the transportation of the fish caught.

SEC. 21. Charter Contracts, Lease or Lease-Purchase Agreements and Contracts for Assistance. - Citizens of the Philippines and qualified corporations or associations engaged in commercial fishing may, subject to the approval of the Secretary, enter into charter contracts, lease or lease-purchase agreements of fishing boats, or contracts for financial, technical or other forms of assistance with any foreign person, corporation or entity for the production, storage, marketing and processing of fish and fishery/aquatic products: Provided, That the foreign crew members of the foreign fishing boat who shall not exceed seventy-five per cent (75%) of the complement of the boat may be issued fishermen's licenses subject to security clearance by the Philippine Coast Guard and to the rules, regulations and guidelines to be promulgated by the Council: Provided, Further, That it shall be a condition in all charter contracts, lease or lease-purchase agreements that Filipino seamen and fishermen shall be given instruction and training by the foreign crew members in the operation of the fishing boat and the use of fishing gears and after two years shall replace all foreign crew members.

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Charter contracts, lease or lease-purchase agreements and contracts for financial, technical or other forms of assistance with any foreign person, corporation or entity, shall be subject to the guideline promulgated by the Council and the approval of the Secretary: Provided, That payments under such contracts or agreements shall be made in kind, i.e., in export items of fish and/or fishery/aquatic products.

SEC. 22. Operation of Radio Communication Facilities on board Fishing Boats. - Any employee on board a fishing boat capable of operating radio transceivers may be authorized by the Radio Control Office to operate such transceivers during fishing operations without the necessity of qualifying in the examination prescribed by existing laws and regulations: Provided, That the Radio Control Office shall give practical examinations to persons with sufficient experience and knowledge of radio telephone and/or telegraphy; for the purpose of qualifying them as radio operators on board fishing boats only:

No franchise shall be required for the installation and operation of radio transceivers on board fishing boats and in their home-based stations: Provided, That the Radio Control Office shall, upon application, issue a permit and assign a pre-set frequency to a qualified applicant for the installation and operation of radio transceivers on board his fishing boats and home-based stations subject to the rules and regulations prescribed by said office and consistent with the requirements of national security: Provided, Further, That the Philippine Coast Guard shall be informed by the Radio Control Office of the pre-set radio frequencies assigned to fishing boat operators.

B. INLAND FISHERIES

SEC. 23. Disposition of Public Lands for Fishponds. - Upon the effectivity of this Decree, no public lands suitable for fishpond purposes shall be disposed by sale: Provided, That only fishpond sales patent already processed and approved on or before November 9, 1972, shall be given due course subject to the condition that such application covers a fully developed fishpond not exceeding twenty-four (24) hectares.

SEC. 24. Lease of Fishponds. - Public lands available for fishpond development including those earmarked for family-size fishponds and not yet leased prior to November 9, 1972 shall be leased only to qualified persons, associations, cooperatives or corporations subject to the following conditions:

1. The lease shall be for a period of twenty-five (25) years, renewable for another twenty five (25) years.
2. Fifty per cent (50%) of the area leased shall be developed and be producing in commercial scale within three (3) years and the remaining portion shall be developed and be producing in commercial scale within five (5) years, both periods to begin from the execution of the lease contract:
3. All areas not fully developed within five (5) years from the date of execution of the lease contract shall automatically revert to the public domain for disposition by the Bureau: Provided, That a lessee who failed to develop

the area or any portion thereof shall not be permitted to re-apply for said area or any portion thereof or any public land under this Decree, and

4. No portion of the lease area shall be sub-leased.

SEC. 25. Size of Fishponds. - The area of fishponds leased under the preceding section shall not exceed the following:

1. For individuals - fifty hectares; and
2. For associations and corporations - five hundred hectares;

Provided, That, if circumstances so warrant, a larger area may, with the approval of the Secretary, be leased to qualified applicants.

SEC. 26. Construction and Development of Family-size Fishponds. - For the purpose of accelerating the development of fishponds, the Bureau, subject to the approval of the Secretary, shall identify and set aside public lands which shall be subdivided into family-size fishponds and leased in accordance with guidelines established by the Council.

SEC. 27. License to Operate Fishpens. - No person shall construct and/or operate a fishpen without first securing a license from the Bureau, any license or permit issued by the Mayor of the municipality claiming jurisdiction over the area in which the fish pen will be constructed to the contrary notwithstanding. The license shall be for a period of five (5) years renewable for another five (5) years.

The maximum area that can be licensed for a fishpen shall be ten (10) hectares in the case of an individual and fifty (50) hectares in the case of an association, partnership, cooperative or corporation.

SEC. 28. No Obstruction to Navigation. - Nothing in the foregoing sections shall be construed as permitting the lessee or licensee to undertake any construction which will obstruct the free navigation in any stream or lake flowing through or adjoining the fishpen or fishpond, or impede the flow and ebb of the tide to and from the area. Any construction made in violation hereof shall be removed upon order of the Secretary.

C. MUNICIPAL FISHERIES

SEC. 29. Grant of Fishery Privileges. - A municipal or city council, conformably with an ordinance duly approved by the Secretary pursuant to Section 4 hereof, may:

- (a) grant to the highest qualified bidder the exclusive privilege of constructing and operating fish corrals, oyster culture beds, or of gathering "bañus" fry, or the fry of other species, in municipal waters for a period not exceeding five (5) years: Provided, That in the zoning and classification of municipal waters for purposes of awarding, through public bidding, areas for the construction or operation of fish corrals, oyster culture beds or the gathering of fry, the municipal or city council shall set aside not more than one-fifth (1/5) of the area earmarked for the gathering of fry, as may be

designated by the Bureau, as government "banous" fish reservation: Provided, Further, That no fish corral shall be constructed within two hundred (200) meters of another fish corral in marine fisheries, or one hundred (100) meters in freshwater fisheries, unless they belong to the same licensee, but in no case shall the distance be less than sixty (60) meters, except in waters less than two (2) meters deep at low tide, or unless previously approved by the Secretary;

- (b) authorize the issuance to qualified persons of license for the operation of fishing boats three (3) gross tons or less, or for the privilege of fishing in municipal waters with nets, traps, or other fishing gear: Provided, That it shall be beyond the power of the municipal or city council to impose a license for the privilege of gathering marine mollusca or the shells thereof, for pearling boats and pearl divers, or for prospecting, collecting, or gathering sponges or other aquatic products, or for the culture of fishery/aquatic products: Provided, Further, That a licensee under this paragraph shall not operate within two hundred (200) meters of any fish corral licensed by the municipality, except when the licensee is the owner or operator of the fish corral but in no case within sixty (60) meters of said corral. The municipality or city council shall furnish the Bureau, for statistical purposes, on forms which shall be furnished by the Bureau, such information and data on fishery matters as are reflected in such forms.

SEC. 30. Municipal Concessions and Leases Concerning Fisheries. - No lease or concession granted by a municipal or city council under authority of an ordinance approved pursuant to Section 29 hereof, concerning fishing or fisheries in streams, lakes, rivers, inland and/or municipal waters, shall be valid and enforceable unless the Secretary, upon recommendation of the Director, approves the same.

CHAPTER V

RESERVE FISHERIES AND FISH SANCTUARIES

SEC. 31. Fishing Areas Reserved for Exclusive Use of Government. - Upon the recommendation of the Director, the Secretary may designate by fishery administrative order, area or areas in Philippine waters as fishery reservation for the exclusive use of the Government or of any of its political subdivisions, agencies or instrumentalities, or of the inhabitants of any municipality, or for the culture of fish and other aquatic animals for educational, research and scientific purposes.

SEC. 32. Fish Refuges and Sanctuaries. - Upon the recommendation of the Director, the Secretary may set aside and establish fish refuges and sanctuaries to be administered in the manner to be prescribed by him. All streams, ponds and waters within game refuges, bird sanctuaries, national parks, botanical gardens, communal forests and communal pastures are hereby declared fish refuges and sanctuaries.

CHAPTER VI

PROHIBITIONS AND PENALTIES

SEC. 33. Illegal Fishing, Dealing in Illegally Caught Fish or Fishery/Aquatic Products. - It shall be unlawful for any person to catch, take or gather or cause to be caught, taken or gathered fish or fishery/aquatic products in Philippine waters with the use of explosives, obnoxious or poisonous substance, or by the use of electricity, as defined in paragraphs (l), (m) and (d), respectively, of Section 3 hereof: Provided, That the Secretary may, upon the recommendation of the Director and subject to such safeguards and conditions he deems necessary, allow for research, educational, or scientific purposes only, the use of explosives, obnoxious or poisonous substance or electricity to catch, take or gather fish or fishery/aquatic products in specified area: Provided, Further, That the use of chemicals to eradicate predators in fishponds in accordance with accepted scientific fishery practices without causing deleterious effects in neighboring waters shall not be construed as the use of obnoxious or poisonous substance within the meaning of this Section: Provided, Finally, That the use of mechanical bombs for killing whales, crocodiles, sharks or other large dangerous fishes, may be allowed, subject to the approval of the Secretary.

It shall, likewise, be unlawful for any person knowingly to possess, deal in, sell or in any manner dispose of, for profit, any fish or fishery/aquatic products which have been illegally caught, taken or gathered.

The discovery of dynamite, other explosives and chemical compounds containing combustible elements, or obnoxious or poisonous substance, or equipment or device for electric fishing in any fishing boat or in the possession of a fisherman shall constitute a presumption that the same were used for fishing in violation of this Decree, and the discovery in any fishing boat of fish caught or killed by the use of explosives, obnoxious or poisonous substances or by electricity shall constitute a presumption that the owner, operator or fishermen were fishing with the use of explosives, obnoxious or poisonous substance or by electricity.

SEC. 34. Fishing with Fine-Mesh Nets. - It shall be unlawful for any person to fish with nets with mesh smaller than that which may be fixed by rules and regulations promulgated conformably with the provisions of Section 7 hereof: Provided, That this prohibition in the use of fine-mesh nets shall not apply to the gathering of fry, glass eels and elvers and such species which by their very nature are small but already mature.

SEC. 35. Trawl Fishing in Waters Seven Fathoms Deep or Less. - Subject to the provisions of Section 17 hereof, no person shall operate trawls in waters seven fathoms deep or less.

SEC. 36. Ban on Exportation of Bañgas Fry. - It shall be unlawful for any person to export bañgas fry.

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SEC. 37. Pollution of Waters. - It shall be unlawful to place, cause to be placed, discharge or deposit, or cause to be discharged or deposited, or to pass or place where it can pass into Philippine waters, petroleum, acid, coal, or oil tar, lampblack, aniline, asphalt, bitumen, or residuary products of petroleum or carbonaceous material or substance, molasses, mining and mill tailings, or any refuse, liquid or solid, from any refinery, gas house, tannery, distillery, chemical works, sugar central, mill or factory of any kind, or any sawdust, shavings, slabs, edgings, or any factory refuse or any substance or material deleterious to fish or fishery/aquatic life.

SEC. 33. Penalties. -

- (a) For illegal fishing and dealing in illegally caught fish or fishery/aquatic products. - Violation of Section 33 hereof shall be punished as follows:
- (1) By imprisonment from ten (10) to twelve (12) years, if explosives are used: Provided, That if the explosion results 1) in physical injury to any person, the penalty shall be imprisonment from twelve (12) to twenty (20) years, or 2) in the loss of human life, then the penalty shall be imprisonment from twenty (20) years to life, or death;
 - (2) By imprisonment from eight (8) to ten (10) years, if obnoxious or poisonous substances are used: Provided, That if the use of such substances results 1) in physical injury to any person, the penalty shall be imprisonment from ten (10) to twelve (12) years, or 2) in the loss of human life, then the penalty shall be imprisonment from twenty (20) years to life or death;
 - (3) By imprisonment from two (2) to four (4) years, if electricity is used; and
 - (4) By imprisonment from two (2) to six (6) years for dealing in illegally caught fish or fishery/aquatic products.
- (b) Trawl fishing - Violation of Section 35 hereof shall be punished by a fine not exceeding one thousand (P1,000.00) pesos or imprisonment for a period not exceeding one (1) year, or both fine and imprisonment, in the discretion of the Court.
- (c) Exportation of bangus fr. - Violation of Section 36 shall be punished by a fine of not less than one thousand pesos (P1,000.00) nor more than five thousand (P5,000.00) pesos or by imprisonment for not less than one (1) year nor more than five (5) years, or both such fine and imprisonment, in the discretion of the Court.
- (d) Other violations. - Violation of any other provision of this Decree or of an, rule or regulation already existing or which may be promulgated pursuant to this Decree shall subject the offender to fine of from five hundred pesos

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(P500.00) to five thousand pesos (P5,000.00) or imprisonment from six (6) months to four (4) years, or both such fine and imprisonment, in the discretion of the Court: Provided, That the Director of Fisheries and Aquatic Resources is hereby empowered to impose upon the offender an administrative fine of not more than five thousand (P5,000.00) pesos or to cancel his permit or license, or to impose such fine and to cancel his permit or license, in the discretion of the Director: Provided, Further, That the Director or his duly authorized representative, and law enforcement agents are hereby empowered to impound with the assistance of the Philippine Coast Guard, if necessary, the fishing boat including the dynamite, blasting caps and other explosives, obnoxious or poisonous substances, and apparatus used in electric fishing, and other apparatus used in illegal fishing pending the termination of the criminal case by competent courts: Provided, Finally, That any person who unlawfully obstructs or delays the inspection and/or movement of fish and fishery/aquatic products when such inspection or movement is authorized under this Decree shall be subject to a fine of not more than two thousand (P2,000.00) pesos or imprisonment of not more than two (2) years, or both such fine and imprisonment, in the discretion of the Court.

Any public official who enforces an ordinance, resolution, rule and/or regulation concerning fishing and fisheries not previously approved by the Secretary shall be criminally prosecuted and, upon conviction, shall suffer the penalty of not more than five (5) years imprisonment or a fine of not more than five (5) years imprisonment or a fine of not more than ten thousand pesos (P10,000.00) or both such fine and imprisonment, in the discretion of the Court.

Action on any violation mentioned in this Chapter shall be taken if the Secretary so decides.

SEC. 39. Seizure Proceedings. - Any foreign fishing boat illegally engaged in fishing within Philippine waters shall be summarily confiscated administratively including its catch and fishing equipment, without prejudice to any civil or criminal action that may be taken against its owners and/or operators.

SEC. 40. Persons Authorized to Enforce this Decree and Fisheries Rules and Regulations. - Members of the Philippine Coast Guard, Philippine Constabulary, Local police force, government law enforcement agencies and other competent government employees duly designated in writing by the Secretary are hereby made deputies of said Secretary in the enforcement of this Decree and fisheries rules and regulations.

SEC. 41. Compromise. - With the approval of the Secretary, the Director may, at any stage of the proceedings, compromise any case arising under any provision of this Decree, subject to the following schedule of administrative fines

- (a) Vessel entering fishery reserve or closed areas. - Any vessel, licensed or unlicensed, entering a fishery reserve or a declared closed area for the purpose of fishing shall be fined in a sum not exceeding five thousand (P5,000.00) pesos.
- (b) Vessel fishing or continuing to fish after the expiration of the license. - A vessel continuing to fish within sixty (60) days from the date of expiration of the license shall pay the ordinary annual license fee in full. A vessel fishing or continuing to fish without having procured the renewal of the license therefor shall be fined in a sum not exceeding fifty pesos (P50.00) for every month the license remains unrenewed.
- (c) Vessel employing unlicensed fishermen. - A vessel found employing unlicensed fishermen shall be fined in a sum of not less than fifty pesos (P50.00) nor more than one hundred pesos (P100.00) for each fisherman and for each month such fisherman is employed.
- (d) Obstruction of fishery officers. - The owner, master or operator of any fishing boat, whether licensed or not, who obstructs or hinders, or causes to be obstructed or hindered, any fishery officer from boarding such boat to enable said officer to perform his duty shall be fined in an amount not exceeding five hundred (P500.00) pesos. In addition, the license of the fishing boat may be cancelled.
- (e) Failure to submit required reports. - The owner, master or operator of a fishing boat who fails to submit a required report within thirty (30) days after due date shall be fined in an amount not exceeding five (P5.00) pesos.
- (f) Transfer of ownership or lease of fishing boat to be reported. - Any owner of a fishing boat who fails to notify the Director of the sale or lease of the boat to another person within ten (10) days after the sale or lease shall be fined in an amount not exceeding two hundred (P200.00) pesos.
- (g) Vessel engaging in fishing without license. - The owner, master or operator of a fishing boat engaging in fishing operations without a license shall be fined in an amount not exceeding one thousand (P1,000.00) pesos for each month or fraction thereof of operation.
- (h) Other violations. - Other violations may be compromised: Provided, that the fine shall not be less than fifty per cent (50%) of the fine originally imposed for the violation.

operate, subject to the guidelines established by the Council and the approval of the Secretary, refrigerating and cold storage plants which shall serve the fishing industry exclusively.

SEC. 46. Exemption of Fishermen from Operation of the Blue Sunday Law and the Eight-Hour Labor Law. - Fishermen on board fishing boats engaged in fishing operations are hereby exempted from the provisions of the Blue Sunday Law and the Eight-Hour Labor Law.

SEC. 47. Auditor. - The Chairman, Commission on Audit, shall not as the ex-officio auditor of the Fishery Industry Development Council and the Bureau of Fisheries and Aquatic Resources. The provisions of Section 584 of the Revised Administrative Code, as amended by Presidential Decree No. 61, shall apply to the office of the representative of the said Chairman in the Council and the Bureau.

SEC. 48. Receipts of Bureau automatically appropriated for certain purposes. - In addition to the amount appropriated for the Bureau in the annual general appropriations act/decree, all fees collected pursuant to this Decree and the rules and regulations promulgated by virtue of this Decree and other laws, bonds that may be forfeited, fines, proceeds from the sale of fish and fishery/aquatic products raised in fish farms, experimental and demonstration stations, rentals from fishponds and receipts from other sources except the proceeds of the sale of assets of the Bureau, will be released by the President upon recommendation of the Secretary annually and made available to the Bureau for the conservation and development of fishery/aquatic resources, construction of permanent improvement including offices and other buildings and acquisitions of sites, promotion and development of the fishing industry, operation and maintenance of experimental fishery stations, and for salaries and wages of necessary personnel.

SEC. 49. Appropriation. - The sum of twenty-one million pesos (P21,000,000.00), one million pesos (P1,000,000.00) of which shall be for the operational expenses of the Fishery Industry Development Council for the current fiscal year and the remaining balance to constitute the Fisheries Loan and Guarantee Fund, is hereby authorized to be appropriated out of any funds in the National Treasury not otherwise appropriated.

SEC. 50. Repealing Clause. - Presidential Decrees Nos. 43, 534 and 553, Act No. 4003, as amended, Republic Acts Nos. 428, as amended, 3048, 3512, and 3536, and all Decrees, Acts, Executive Orders, rules, regulations or parts thereof inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

SEC. 51. Separability Clause. - The provision of this Decree are hereby declared to be separable and, if any clause, sentence, provision or section of this Decree or application thereof to any person or circumstance should for any reason be held invalid, such invalidity shall not affect the other provisions or application of this Decree.

SEC. 52. Effectivity. - This Decree shall take effect upon promulgation.

DONE in the City of Manila, this 16th day of May in the year of Our Lord, nineteen hundred and seventy-five.

(SIGNED)
FERDINAND E. MARCOS
President
Republic of the Philippines

PRESIDENTIAL DECREE NO. 1015

AMENDING THE FIRST PARAGRAPH OF SECTION 17
AND SECTION 35 OF PRESIDENTIAL DECREE NO. 704

WHEREAS, it is the policy of the State to uplift the economic condition of the municipal and small-scale fishermen;

WHEREAS, to achieve this purpose it is imperative to provide them with a wider area in Philippine waters within which to operate their fishing boats of three (3) gross tons or less;

WHEREAS, it is also our policy to conserve and maintain the ecology of our marine environment; and

WHEREAS, it is therefore necessary to amend Sections 17 and 35 of Presidential Decree No. 704;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers in me vested by the Constitution do hereby order and decree:

SECTION 1. The first paragraph of Section 17 of Presidential Decree No. 704 is hereby amended to read as follows:

"SEC. 17. Commercial fishing boat license and other licenses. - No person shall operate a commercial fishing boat, pearl fishing boat or fishing boat for scientific, research or educational purposes, or engage in any fishery activity or seek employment as a fisherman without first securing a license from the Bureau: Provided, That no such special permit shall be required of a fishing boat engaged in scientific, research or educational purposes within Philippine waters pursuant to an international agreement of which the Philippines is a signatory, and which agreement defines the status, privileges and obligations of said boat and its crew and the non-Filipino officials of the international agency under which said boat operates: Provided, Further, That the members of

the crew of a fishing boat used for commercial fishing, including but not limited to duly licensed and/or authorized patrons, marine engineers, radio operators and cooks, shall be considered as fishermen: Provided, Furthermore, That commercial fishing boats shall be allowed to operate only in Philippine waters of seven (7) or more fathoms deep subject to the conditions that may be stated therein and the rules and regulations that may, from time to time, be promulgated by the Secretary: Provided, However, That the President of the Philippines may, upon the recommendation of the Secretary, ban the operation of commercial or other fishing gear in waters within a distance of seven (7) kilometers (3.75 nautical miles) from the shoreline if public interest so requires or if the ecology of the marine resources may be impaired: Provided, Finally, That the Secretary may, upon the recommendation of the Director, establish a closed season in any Philippine waters if necessary for conservation or ecological purposes."

SEC. 2. Section 35 of the same Presidential Decree is hereby amended to read as follows:

"SEC. 35. Trawl fishing in waters seven (7) fathoms deep or less. - Subject to the provisions of Section 17 hereof, no person shall operate trawls in waters seven (7) fathoms deep or less: Provided, That baby trawls using fishing boats of three (3) gross tons or less may operate in areas four (4) fathoms deep or more if authorized by existing municipal ordinances duly approved by the Secretary: Provided, Further, That the President of the Philippines may, upon the recommendation of the Secretary, ban the operation of trawls in waters within a distance of seven (7) kilometers (3.75 nautical miles) from the shoreline if public interest so requires."

SEC. 3. This Decree shall take effect immediately.

Done in the City of Manila, this 22nd day of September in the year of Our Lord, nineteen hundred and seventy-six.

(SIGNED)
FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(SIGNED)
JUAN C. TUVERA
Presidential Assistant

PRESIDENTIAL DECREE NO. 1050

AMENDING PRESIDENTIAL DECREE NO. 704, DATED MAY 16, 1975, BY INCREASING THE PENALTIES FOR CERTAIN FORMS OF ILLEGAL FISHING, DEALING IN ILLEGALLY CAUGHT FISH OR FISHERY/AQUATIC PRODUCTS, AND FOR OTHER PURPOSES.

WHEREAS, fish, fishery and other aquatic products constitute a cheap and major food resource for the Philippine population;

WHEREAS, there is a need to increase the penalties for certain acts prohibited by existing penal laws for a more effective protection of the nation's fish resources.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree as part of the law of the land, the following:

SECTION 1. The first paragraph of Section 33 of Presidential Decree No. 704, dated May 16, 1975, is hereby modified to read as follows:

"SEC. 33. Illegal fishing, illegal possession of explosives intended for illegal fishing, dealing in illegally caught fish or fishery/aquatic products. - It shall be unlawful for any person to catch, take or gather or cause to be caught, taken or gathered fish or fishery/aquatic products in Philippine waters with the use of explosives, obnoxious or poisonous substance, or by the use of electricity as defined in paragraphs (l), (m) and (d), respectively, of Section 3 hereof. Provided, That mere possession of such explosives with intent to use the same for illegal fishing as herein defined shall be punishable as hereinafter provided: Provided, That the Secretary may, upon recommendation of the Director and subject to such safeguards and conditions he deems necessary, allow for research, educational or scientific purposes only, the use of explosives, obnoxious or poisonous substances or electricity to catch, take or gather fish or fishery/aquatic products in specified area: Provided, Further, That the use of chemicals to eradicate predators in fishponds in accordance with accepted scientific fishery practices without causing deleterious effects in neighboring waters shall not be construed as the use of obnoxious or poisonous substance within the meaning of this section: Provided, Finally, That the use of mechanical bombs for killing whales, crocodiles, sharks or other large dangerous fishes may be allowed, subject to the approval of the Secretary."

SECTION 2. Subsection a (1) of Section 33 of the same Decree is hereby modified to read as follows:

"(1) By the penalty of imprisonment ranging from twelve (12) years to twenty-five (25) years in the case of mere possession of explosives intended for illegal fishing by impri-

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sonment ranging from twenty (20) years to life imprisonment if the explosive is actually used: Provided, That if the use of the explosive results in 1) physical injury to any person, the penalty shall be imprisonment ranging from twenty-five (25) years to life imprisonment, or 2) in the loss of human life, then the penalty shall be life imprisonment to death.

SECTION 3. Subsection a(1) of Section 36 of the same Decree is hereby modified to read as follows:

"(4) By imprisonment from five (5) to ten (10) years for dealing in illegally caught fish or fishery/aquatic products."

SECTION 4. Section b of Section 36 of the same Decree is hereby modified to read as follows:

(b) Trawl Fishing - Violation of Section 35 hereof shall be punished by imprisonment ranging from six (6) months to six (6) years.

SECTION 5. Jurisdiction. - The Military Tribunals created under Presidential Decree No. 37, as amended, shall exercise exclusive jurisdiction to try cases involving illegal fishing by the use of explosives, illegal possession of explosives intended for illegal fishing, and trawl fishing as prohibited under Sections 33, 35 and 36 of Presidential Decree No. 704, as hereby amended.

SECTION 6. Effectivity. - This Decree shall take effect fifteen (15) days after its publication by the Department of Information in two (2) newspapers of general circulation.

DONE in the City of Manila, this 1st day of December, in the year of Our Lord, nineteen hundred and seventy-six.

(SIGNED)
FERDINAND E. MARCOS
President

By the President.

(SIGNED)
JACOBO C. CLAVE
Presidential Executive Assistant

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FISHERIES EXPORT UNIT, ONE STOP EXPORT DOCUMENTATION CENTER
PHILTRADE, PASAY CITY

LIST OF MARINE/AQUATIC ANIMALS BANNED FOR EXPORT
(BUT NOT INCLUDED IN THE CITES LIST)

I. Live/fresh marine/aquatic products

1. Chanos-chanos (bangus milkfish) (fry, fingerlings, spawner, sabalo)
P.D. No. 704, FAO No. 173 and FAO No. 109
2. Penaeus spp. (shrimps) (fry, fingerlings and spawner)
FAO No. 143
3. Eucheuma cottonii - seaweeds (fresh)
FAO No. 169

II. Shells and Products of these marine fauna:

1. Tritonis charonia - trumpet shell (tambuli)
FAO No. 158
2. Cassis cornuta - helmet shell (budyong)
FAO No. 158
3. Placuna placenta - window-pano shell (Capiz) raw shell only
FAO No. 157

LIST OF MARINE AND AQUATIC ANIMALS WHICH ARE STRICTLY REGULATED
FOR EXPORT (BUT NOT INCLUDED IN THE CITES LIST)

I. Raw shells of the following marine fauna:

- a) Pinctada maxima - MOP goldlip (below 19 cm. outside measurement or 14 cm. below nacro measurement inside)
FAO No. 11
- b) Pinctada margaritifera - MOP blacklip (below 11 cm. outside axis measurement or 9 cm. below nacro measurement inside) FAO No. 11
- c) Trochus niloticus - smooth top shell (lalake) (8 cm. below across diameter) FAO No. 11
- d) Trochus maximus (Koch) - rough species (7cm. below across diameter) FAO No. 11

LIST OF MARINE AND AQUATIC FAUNA BANNED FOR EXPORT UNDER CITES

I. Coral and products made out of these marine fauna:

1. Antipatharia spp. black corals
2. Cirripathes - black corals
3. Mollusca (Gorgonia spp.) - red corals
4. Stony corals classified as soft/ordinary corals commercially known as the white, blue and violet corals such as:

P.D. No. 1219
as amended by
P.D. No. 1698,
FAO No. 168.

- a) Platygyra spp. - Brain corals
- b) Soriatopora spp. - Birds nest corals
- c) Pocillopora spp. - Brown stem cluster corals
- d) Silyopora spp. - Cauliflower corals
- e) Acropora spp. - Branch corals
- f) Favos spp. - Cactus corals
- g) Fungia spp. - Mushroom corals
- h) Halomitra spp.
- i) Polyphyllia spp. - Feather corals
- j) Favia spp. - Brain corals
- k) Morulina spp. - Morulina corals
- l) Lobophyllia spp. - Brain root corals
- m) Pocinia spp. - Tottuco corals
- n) Euphyllia spp. - Brain trumpet corals
- o) Milopora spp. - Wello fire corals
- p) Heliopora spp. - Blue corals
- q) Tunipora spp. - Organpipe corals

II. Shells and products of these marine animals or part thereof:

- a) Tridacna gigas - giant clam
- b) Tridacna doxosa - giant clam
- c) Tridacna flumina - fluted clam
- d) Tridacna squamosa - boring clam
- e) ~~Tridacna arceus - arceus clam~~
- f) Hippopus hippopus - horse's hoof clam

LIST OF REPTILES LISTED UNDER CITES APPENDIX II

I. Seasnakes and water snakes and products derive from this aquatic fauna:

- a) Cerberus rhynehops - common saltwater snake
- b) Heteron noster - checkered keelback water snake
- c) Atractum scintosum - olive keelback water snake

* P.D. = Presidential Decree

* FAO = Fisheries Administrative Order

BEST AVAILABLE COPY

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THE UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

LIST OF PLANTS/ANIMALS AND OTHER SPECIES FOR WHICH
PERMITS ARE REQUIRED FOR COLLECTION

I. Invertebrates and other animals

1. Chironomidae (Chironomidae) - fry, fingerlings, spawner
 adults;
 P.D. No. 704; IAD No. 173 and IAD No. 109
2. Ferussac spp. (Gastropoda) (fry, fingerlings and spawner)
 IAD No. 115
3. Hydrobia ulana - egg, adult, larva;
 IAD No. 103

II. Shells and bivalves of mollusks

1. Tridacna striatella - Tridacna striatella (Tridacna)
 IAD No. 150
2. Caudofoveata - Caudofoveata (Caudofoveata)
 IAD No. 150
3. Alacuna - Alacuna (Alacuna) or snail only;
 IAD No. 150

III. Plants and other animals for which permits are required
for collection

I. Invertebrates and other animals

- a) Tridacna striatella - Tridacna striatella (Tridacna) 10 cm. outside
 measurement or 10 cm. below measurement of the animal;
 IAD No. 150
- b) Planorbis orbicularis - Planorbis orbicularis (Planorbis) 10 cm.
 outside measurement or 10 cm. below measurement
 inside; IAD No. 150
- c) Hydrobia ulana - Hydrobia ulana (Hydrobia) (3 cm.
 below across diameter) IAD No. 150
- d) Tridacna striatella (Koenig) - Tridacna striatella (7cm. below
 across diameter); IAD No. 150

LIST OF PLANTS AND ANIMALS FOR WHICH PERMITS ARE REQUIRED

P.D. No. 1219
 as amended
 P.D. No. 1693,
 IAD No. 150.

II. Corals and bryozoans made out of cross marine fauna.

1. Antipatharia spp. black corals
2. Serpicaria spp. - black corals
3. Heliospongia (Gorgonia spp.) - red corals
4. Spongia spp. of various colors, or spongia spp. of various colors

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- a) Elavayra spp. - Brain corals
- b) Solenastrea spp. - Brain nest corals
- c) Pocillopora spp. - Brown spot cluster corals
- d) Syringonaria spp. - Cauliflower corals
- e) Leptastrea spp. - Brain corals
- f) Porolithothamnion spp. - Cactus corals
- g) Muricea spp. - Mushroom corals
- h) Halysites spp.
- i) Polysiphonia spp. - Feather corals
- j) Savia spp. - Brain corals
- k) Leptastrea spp. - Brain nest corals
- l) Leptastrea spp. - Brain nest corals
- m) Leptastrea spp. - Brain nest corals
- n) Leptastrea spp. - Brain nest corals
- o) Leptastrea spp. - Brain nest corals
- p) Leptastrea spp. - Brain nest corals
- q) Leptastrea spp. - Brain nest corals

II. Skills and talents of these various corals are noted here:

- a) Leptastrea spp. - great clam
- b) Leptastrea spp. - great clam
- c) Leptastrea spp. - flat clam
- d) Leptastrea spp. - boring clam
- e) Leptastrea spp. - boring clam
- f) Leptastrea spp. - boring clam

LIST OF REPTILES AND AMPHIBIANS IN THE AREA

I. Snakes and other reptiles and amphibians in the area

- a) Agkistrodon contortrix - eastern copperhead snake
- b) Agkistrodon contortrix - eastern copperhead snake
- c) Agkistrodon contortrix - eastern copperhead snake

* P.D. = Professional Degree
 * F.O. = Executive Order

APPENDIX VI

**EXPENDITURES FOR PRESENTATION OF
CITES IMPLEMENTATION WORKSHOP IN THE PHILIPPINES
(U S DOLLARS)**

Item	United States-Asia Environmental Partnership	U S Fish and Wildlife Service	CITES Secretariat	BFAR	PAWB
Salaries		11,528 00	XXXX	XXXX	XXXX
Airline tickets and per diem	8,554 70		XXXX	XXXX	XXXX
Air freight	2,311 77				
Training Supplies		2,524 80	XXXX		
Training site rental and domestic travel of students and Filipino instructors				XXXX	XXXX
Copying/ Communica- tions		1,500 00			
Totals	10,866 47	15,552 8	XXXX	XXXX	XXXX

XXXX indicates that the identified agency assumed responsibility for these expenses Information on the exact cost was not exchanged