

SAMUDRA Studies

## **PHILIPPINES**

### **Asserting Rights, Defining Responsibilities**

Perspectives from Small-scale Fishing Communities on  
Coastal and Fisheries Management in the Philippines

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## LIST OF ACRONYMS AND ABBREVIATIONS

ADB	Asian Development Bank
AFMA	Agriculture and Fisheries Modernization Act
ARD	Aquaculture for Rural Development
ASEAN	Association of Southeast Asian Nations
BFAR	Bureau of Fisheries and Aquatic Resources
BFARMC	Barangay Fisheries and Aquatic Resources Management Council
CADT	Certificate of Ancestral Domain Title
CARP	Comprehensive Agrarian Reform Programme
CBCRM	community-based coastal resource management
CBFM	community-based forest management
CBFMA	community-based forest management agreement
CBRMP	Community-based Resource Management Project
CERD	Centre for Empowerment and Resource Development
CMP	Community Mortgage Programme
CNFIDP	Comprehensive National Fisheries Industry Development Plan
CPUE	catch per unit effort
CRM	coastal resource management
DA	Department of Agriculture
DAO	Department Administrative Order
DENR	Department of Environment and Natural Resources
DoF	Department of Finance
EEZ	exclusive economic zone
EO	Executive Order
FAO	Fishery Administrative Order
FARMB	Fisheries and Aquatic Resources Management Board
FARMC	Fisheries and Aquatic Resource Management Council
FLA	Foreshore Leasehold Agreement
GT	gross tonnage
ha	hectare
hp	horsepower
ICM	Integrated Coastal Management
ICSF	International Collective in Support of Fishworkers
IPRA	Indigenous Peoples Rights Act

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LGC	Local Government Code
LGU	local government unit
LMMA	Locally Managed Marine Areas
LSR	Local Sectoral Representative
LUMOT	Ladies in United Movement Onward to Development
MFARMC	Municipal Fisheries and Aquatic Resource Management Council
MFO	Municipal Fishery Ordinance
MOA	Memorandum of Agreement
MPA	marine protected areas
MPDO	Municipal Planning and Development Office
MSY	maximum sustainable yield
MTPDP	Medium-term Development Plan
NAMAHIN	Nagkahiusang Mangingisda ng Hinatuan
NFARMC	National Fisheries and Aquatic Resources Management Council
NFR	NGOs for Fisheries Reform
NGO	non-governmental organization
NIPAS	National Integrated Protected Areas System
NRM	natural resources management
PAMB	Protected Area Management Board
PARASAMAZA	Pampangisdaang Reporma Adhika ng mga Samahan ng mga Mangingisda ng Zambales
PD	Presidential Decree
PO	people's organization
RA	Republic Act
SAMACA	Samahan ng Mangingisda ng Candelaria (a municipal federation of five Pos)
SIKAT	Sentro para sa Ikaunlad ng Katutubong Agham at Teknolohiya
TAC	total allowable catch
USAID	United States Agency for International Development
VAW	violence against women
VAWC	violence against women and children
VSO	Voluntary Service Overseas
WTO	World Trade Organization

## CHAPTER 1: COUNTRY-LEVEL BACKGROUND INFORMATION

The Philippine archipelago is composed of more than 7,100 islands. It is surrounded by the South China Sea in the north and the west; and the Pacific Ocean in the east. With 17,460 km of coastline and marine waters covering 1,666,000 sq km, Philippines' fishery resources play an important role in the lives and livelihoods of Filipinos. The Philippines archipelago lies in a region of the highest marine biodiversity, with at least 4,951 species of marine plants and animals and 16 endemic species.

Figure 1. Map of the Philippines and the Case Study Sites



Philippine waters have been decentralized such that municipal waters (that is, waters from the coastline to 15 km) are under the jurisdiction of the municipal or city government, while waters beyond 15 km are under the national agency, the Bureau of Fisheries and Aquatic Resources (BFAR). Existing laws do not recognize the jurisdiction of provincial or *barangay* (the smallest unit of local government) waters.

### Population Dependent on Fisheries

The Fisheries Code classifies the different sectors of the fishing industry as commercial fisheries, municipal fishers and aquaculture. The Fisheries Code defines municipal fishing as fishing within municipal waters using fishing vessels of three gross tonnage (GT) or less, or fishing not requiring the use of fishing vessels. Municipal waters are defined as the area covered from the shore up to 15 km into the sea. The common gear used is passive gear, such as simple handlines, gill-nets and traps. The principal species that comprise the municipal catch are small pelagics (sardines, mackerels,

anchovies, round herring, fusiliers and round scad), large pelagics (milkfish, marlin, swordfish, sailfish and barracuda) and demersals (shrimps and slipmouths).

Commercial fishing refers to the taking of fishery species by passive or active gear for trade, business or profit beyond subsistence, or sports fishing. The sector is further classified into three, namely: *small-scale* (utilizing passive or active gear on fishing vessels of 3.1-20 GT); *medium-scale* (utilizing active gear and vessels of 20.1-150 GT); and *large-scale* (utilizing active gear and vessels of more than 150 GT). The commercial fishers are usually based near large population centres where they land the bulk of their catch. They roam wide areas in search for fish. The major fishing gear used are the purse-seine, trawl, ringnet and bagnet. The common species caught are roundscad and Indian sardines.

The aquaculture sector includes fishery operations involving all forms of raising and culturing fish and other fishery species in fresh, brackish and marine water areas. The primary harvests are seaweed, milkfish, tilapia, and shrimps/prawns.

Coastal communities comprise about 54 per cent of all municipalities in the country. The latest census shows that there are 2,015,101 fishing operators. Municipal fishing operators occupy a clear majority, accounting for 88.4 per cent (see Table 1). These figures do not reflect the total population dependent on fisheries but only the number of operators.

Table 1. Population per Sector

Fishing Sector	Operators
Aquaculture	226,195
Municipal	1,781,057
Commercial	7,849
<b>Total</b>	<b>2,015,101</b>

Source: National Statistics Office, 2002

However, the actual classification of fisherfolk as commercial and municipal may not be accurate since most commercial fishworkers also work as municipal fisherfolk when there are no fishing expeditions. For example, some municipal fisherfolk indicated that they employ *muro-ami* (Danish seine), clearly a commercial fishing gear. Also, the census indicated some commercial fishers use vessels weighing less than 3 GT.

Table 2 shows the distribution of fishing vessels between municipal and commercial fishers.

Table 2. Distribution of Fishing Vessels

	1980	2002
<b>Municipal</b>	<b>401,827</b>	<b>810,176</b>
Raft	388,188	777,666
3 or less GT	13,639	32,510
<b>Commercial</b>	<b>3,411</b>	<b>10,860</b>
3 or less GT	179	1,204
3-5 GT	1,044	3,001
5-9 GT	559	2,211
9-19 GT	728	1,427
19-49 GT	460	1,492
49-99 GT	239	577
99-499 GT	200	516
499 or more GT	2	177
not reported		255

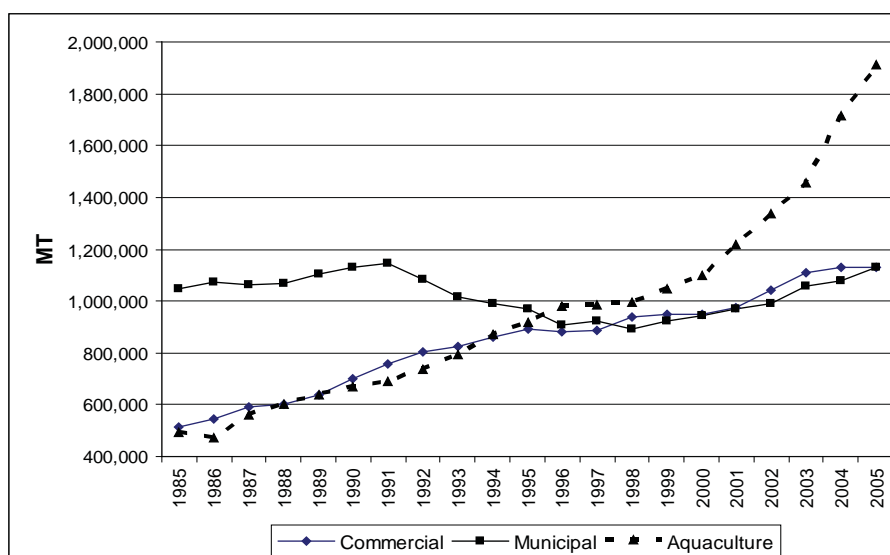
Source: National Statistics Office, 2002



### Fish Production

In 2003, the Philippines ranked eight among the top fish-producing countries in the world, with a production of 3.62 mn tonnes of fish, crustaceans, molluscs and aquatic plants (including seaweed). In 2005, the marine fisheries production was 4.16 mn tonnes, 27.2 per cent of which came from municipal fisheries and 27.2 per cent from commercial fisheries. The total is reduced to 2.82 mn tonnes if seaweeds are excluded. Aquaculture produced 45.6 per cent of the total.

Figure 2. Production per Sector (Tonnes)



Source: DA-BFAR-FIMC, 2006

### Main Species

Big-eyed scad and frigate tuna comprise the bulk of municipal fisheries production. Table 3 and Table 4 show catches of the major species in municipal and commercial fisheries in 2003. Small pelagics constituted 54.5 per cent of the catch from municipal fisheries in 2003, tunas, 22.9 per cent, demersal fishes, 7.4 per cent, and invertebrates, 15.2 per cent.

Table 3. Catches of Main Species in the Municipal Marine Fisheries Sector in 2003

Species	Volume (000' tonnes)	As % of total
Big-eyed scad	64,354	7.0
Frigate tuna	64,326	7.0
Roundskad	55,980	6.1
Indian mackerel	45,083	4.9
Anchovies	42,447	4.6
Indian sardines	40,051	4.3
Yellowfin tuna	39,767	4.3
Squid	37,735	4.1
Slipmouth	33,528	3.6
Blue crab	31,433	3.4
Others	467,147	50.7
<b>Total</b>	<b>921,851</b>	<b>100.0</b>

Source: BAS, 2005

Table 4. Catches of the Main Species in the Commercial Marine Fisheries Sector in 2003

Major species	Volume (000' tonnes)	As % of total
Roundscad	254,659	22.9
Indian sardines	130,024	11.7
Frigate tuna	114,760	10.3
Skipjack	114,077	10.3
Yellowfin tuna	87,473	7.9
Big-eyed scad	39,621	3.6
Fimbriated sardine	36,358	3.3
Slipmouth	36,313	3.3
Indian mackerel	32,037	2.9
Anchovies	28,654	2.6
Others	235,660	21.2
<b>Total</b>	<b>1,109,636</b>	<b>100.0</b>

Source: BFAR, 2005

The commercial fisheries catch in 2003 comprised small pelagics (59.6 per cent), tunas (36.2 per cent) and demersal fishes (4.2 per cent).

A comparison of catches cited in Table 3 and Table 4 shows that of the eight top species caught by both municipal and commercial fisheries, almost two-thirds were harvested by commercial fishers, compared with one-third caught by municipal fishers.

#### Status of Resources

In terms of resource degradation, the latest assessment of Philippine coral reefs revealed that only 5.5 per cent are in excellent condition (Yap and Gomez, 1985). This dismal state of coral reefs is commonly attributed to siltation, destructive fishing practices and overfishing. Mangrove forest cover has been reduced from an estimated 400,000-500,000 ha in the early 1900s to only 200,000 ha in 1994 (Calumpang 1994). Forty-five percent of this mangrove loss is attributed to fishpond conversion (PNMC, 1986). No comprehensive assessment has been done on the status of seagrass beds but they are also vulnerable to overexploitation, conversion, sedimentation and pollution.

Fishery production began to level off during the early 1980s, indicating that the maximum sustainable yield (MSY) has been reached. Capture-fisheries production, especially by the municipal fishing sector, steadily declined between 1991 and 1998. Although empirical studies have been done to calculate the MSY of the Philippines' waters, exact figures are difficult to calculate, given the multispecies nature of tropical marine environments and the lack of reliable fisheries data after 1985, when fisheries data collection was transferred to a different agency. Analysts are wary of providing species-wise and geographical analysis, given the lack of accuracy of fisheries monitoring data.

Demersal fisheries resources have been overexploited, as indicated by the declining catch per unit effort (CPUE), high fisher density in nearshore fishing grounds, and the decreasing sizes of traditionally caught fish. Silvestre and Pauly estimated that in 1987 demersal species were biologically and economically overfished, with the MSY ranging from 340,000-400,000 tonnes, reached in the early 1970s. The country had reached the maximum economic yield from its demersal fish stocks as early as the late 1960s, except in fishing grounds around Palawan, Southern Sulu Sea and the central part of the country's Pacific coast.

Pelagic resources are also believed to have been generally overexploited. Studies on pelagic fisheries also indicate overfishing and declining CPUE. Exceptions are in lightly fished areas in waters off Palawan, parts of the country's Pacific coast and some parts of Mindanao. These findings are supported by an observed change in species composition, i.e., anchovies have partially replaced sardines, scads and mackerels in the catch, an indication of gradual stock collapse (Green et al., 2003). Empirical

research by Dalzell et al. (1987) concluded that the MSY for small pelagics was 544,000 tonnes at fishing effort levels of 256,000 hp. This level was reached as early as 1975. Trinidad et al. estimate an MSY effort of 410,000 hp, a level reached in the early 1980s (Israel and Banzon, 1996).

In some areas, not only has the volume of catch been reduced, but also the quality. For example, in Central Visayas, there has been an overall shift in catch composition, away from coastal pelagic to oceanic pelagic species, and away from demersal to pelagic species. In the Visayan Sea, one of the most productive fishing grounds of the country, a major change in composition of catch took place in the 1980s, with coastal pelagics replacing the demersals as the most abundant catch, and invertebrate species shifting from shrimp-dominant to squid-dominant, reflecting a shift in the ecosystem due to fishing pressure and a shift away from trawling to purse-seine and ring-net. These changes indicate that the Visayan Sea was exhibiting signs of overexploitation as far back as the 1980s.

Despite several signs of overfishing at various degrees, there is still limited formal recognition of overfishing by BFAR. There have been calls from civil society organizations to close commercial fishing in the 18 priority bays and gulfs that have been included in the Asian Development Bank (ADB)-funded Fisheries Sector Programme/Fisheries Resource Management Programme as a precautionary measure. These bays and gulfs were identified as areas critical to fisheries that are in need of rehabilitation due to the declining status of fisheries and coastal resources. However, no closed season on commercial fishing was declared, despite provisions in the Fisheries Code for such measures, based on best available data.

### **Fishery Policies**

The 1987 Constitution contains provisions dealing with the State's absolute control over natural resources, including fisheries and other coastal resources, while also giving attention to coastal communities. The Constitution states that all natural resources are owned by the State and that the "State may directly undertake such activities, or it may enter into co-production, joint-venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least 60 per centum of whose capital is owned by such citizens." (Article XII, Section 2)

However, the Constitution allows the small-scale utilization of natural resources. Furthermore, the Constitution provides that the "State shall protect the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens." (Article XII, Section 2)

The current policy environment is a result of the continuing struggle of the local fisherfolk. The policies during the era of President Ferdinand Marcos can be characterized as wanting of democratic space. The fisherfolk movement blamed the Fisheries Code of 1975, or Presidential Decree (PD) 704, for marginalizing the small-scale fisherfolk and aggravating the depletion of fishery resources. This is because PD 704 considered the fishery industry as a preferred area of investment that needed maximum utilization of fishery resources. As an example, this frame of thinking encouraged the widespread conversion of mangrove forests into fishponds.

The People Power Revolution in 1986, which toppled the Marcos administration, widened the democratic space and allowed different sectors to lobby for reforms. Various fisherfolk movements from different parts of the country (for example, fisherfolks federations in Laguna de Bay, fisherfolks included in farmer groups lobbying for land reform) soon focused their attention on reforming PD 704. The demands ranged from expanding the municipal waters for exclusive use of municipal fisherfolk from seven to 15 km; the formation of a Fisheries and Aquatic Resources Management Board to institutionalize the participation of fisherfolk communities in the formulation of fisheries policies at different levels; prohibition on converting mangrove forest into fishponds; and access of fisherfolk communities and organizations to different property-rights instruments such as the Fishpond Lease Agreement and Foreshore Land Agreement.

More than a decade of lobbying and campaigning ensued before a Fisheries Code was finally passed. Several provisions were compromised but a step forward from the previous law was achieved.

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#### Fisheries Code (RA 8550) of 1998

The Fisheries Code is an act providing for the development, management and conservation of the fisheries and aquatic resources of the country. The Code is a consolidation of prior fishery laws and an update of prior laws related to fisheries. It establishes coastal resource management as the approach for managing coastal and marine resources. The salient new features of the Code include the following:

- the expansion of municipal waters from seven to 15 km;
- the decentralization of management of municipal waters to local government units (LGUs);
- the reconstitution of BFAR from a staff agency to a line agency;
- the limitation on size and duration of leases of fishponds;
- the prohibition on converting mangrove forests into fishponds and the reversion of converted mangrove forests;
- the adoption of MSY as a basis for fisheries management; and
- the creation of fisherfolk-led Fisheries and Aquatic Resource Management Councils (FARMCs) at different levels of government.

#### Agriculture and Fisheries Modernization Act (RA 8435) of 1998

The Agriculture and Fisheries Modernization Act (AFMA) details measures to sustain the development in the sectors of agriculture and fisheries. The stated objective of the Act is to transform these sectors from resource-based into technology-based industries and to enhance profits in these sectors, especially for small-scale farmers and fishermen. AFMA is geared towards modernizing the fisheries sector for the local industries to be more competitive in international trade. AFMA is seen by civil society organizations as dissonant to the goals of the Fisheries Code; while the Fisheries Code prioritizes conservation, AFMA encourages increased production.

#### Local Government Code (RA 7160) of 1991

The Local Government Code (LGC) of 1991 devolves certain responsibilities for fishery resources and powers for their management to local governments. The Code gives local governments the mandate to manage municipal waters within a distance from the coast of 15-km seaward, and to enact and enforce appropriate fishery ordinances. Joint undertakings with non-governmental organizations (NGOs), people's organizations and other stakeholders for the promotion of ecological balance are also encouraged and promoted by the Code.

#### Indigenous Peoples Rights Act (RA 8371) of 1997

Formulating private community-based property rights may currently be best exemplified by the Indigenous Peoples Rights Act (IPRA) of 1997. The Act was also a result of the widened democratic space available after the Marcos era. Massive land grabbing and development aggression in ancestral domains prompted coalition building of indigenous peoples, whose movements were often spread out and isolated from one another. The advocacy campaign for the IPRA was ridden with controversy, such as the proper representation of diverse indigenous communities and the submission of their traditional claims and culture to the legal system.

The IPRA recognizes the property rights of indigenous cultural communities over their ancestral domains and ancestral lands. A traditional tribal council (composed of the tribal chief, council members and spiritual advisers) is recognized by the law to draft policies on natural resource use and development plans in the ancestral domain. The tribal council can exercise political muscle by invoking the use of traditional tribal justice systems as a sign of their cultural identity and autonomy from the national laws.

The issuance of the Certificate of Ancestral Domain Title (CADT) was slow and full of controversy. Also, the autonomy of the tribal councils continued to be undermined by national government

priorities (for example, opening up ancestral domains to mining explorations). The National Commission on Indigenous People, the national agency representing indigenous peoples, has been faulted by some sectors for not providing enough services for the indigenous communities and for misrepresenting them on the mining issues.

Although IPRA has gone through many controversies regarding its constitutionality and its adherence to the culture of the indigenous people, it provides opportunities for indigenous people to establish community-based property rights over ancestral waters, including marine waters. This has been done by the Calamian Tagbanwa in Northern Palawan. The management plan of the tribal council over their ancestral domain became more coherent after they were issued a CADT. The traditional beliefs and practices were enhanced when national laws recognized their mandate over the ancestral domain. It also strengthened the participation of the indigenous peoples in legal policymaking, thus reducing conflicts between different stakeholders. The Tagbanwa currently enjoy benefits from ecotourism, while preserving their culture and conserving their ancestral lands and waters.

#### National Integrated Protected Areas System (RA 7586) of 1992

The passage of Republic Act 7586 in 1992, known as the National Integrated Protected Area System (NIPAS), has been hailed as one of the most progressive attempts to embody into law scientifically advanced principles of establishing protected areas. The NIPAS Act aims to remedy the weakness of past efforts at establishing protected areas by applying scientific principles in resource management planning. NIPAS highlights the importance of biodiversity conservation. It also adopts a co-management approach, as each established protected area is administered by a Protected Area Management Board (PAMB). The PAMB is led by officials of the Department of Environment and Natural Resources (DENR), and includes representatives from the local government, NGOs and people's organizations (POs), who are considered as active partners and decision-makers in matters pertaining to planning, protection and administration of the national park.

To some sectors, the NIPAS represent a paradigm shift in how government approaches conservation, in the sense that it is premised on the belief that environmental programmes should address or complement the social and economic needs of local communities. Moreover, current discourse about protected area and watershed management have successfully reverted the view that human settlements are incompatible with the conservation objectives of the protected area and watersheds. In other words, people can become effective resource users and managers.

Conflict sometimes arises in areas where PAMBs are inactive or where fisherfolk movements are being undermined by the PAMB. The DENR-led PAMBs are sometimes not aligned with local communities and local politics. This has pushed some communities to form FARMCs, even though the Fisheries Code exempts protected areas under the NIPAS from the formation of FARMCs. Forming FARMCs allows more space for fisherfolk to participate in policymaking but does not ensure that the policies will be carried out by the PAMB.

#### Community-based Forest Management (EO 263) of 1995

Community-based forest management (CBFM) is the national strategy to ensure sustainable development of the country's forestland resources (EO 263). The CBFM provides legal instruments for local peoples' organizations to manage and benefit from forests, including mangrove forests. As of March 2005, there were 1,577 community-based forest management agreements (CBFMAs), covering 1,575,300 ha of forest (DENR, March 2005).

In 2005, the DENR Secretary ordered the immediate cancellation of all CBFMAs in eight regions. Directly affected are 1,051 CBFMAs, covering 662,300 ha of forest, which will become 'open access' again, and approximately 115,370 households who manage and protect, develop and benefit from the forest resources. In a consultative workshop on CBFM, the current DENR Secretary was confronted by PO representatives on the issue. The DENR Secretary responded by stopping further cancellation of CBFMs and ordering an evaluation of those that were cancelled.

#### Integrated Coastal Management (EO 533)

Through an Executive Order (EO 533) signed in 2006, Integrated Coastal Management (ICM) has been adopted by the government as the national strategy for the sustainable development of the country's coastal and marine resources. The EO also specifies the establishment of supporting mechanisms for its implementation, specifically the development of a National ICM programme. This ICM programme is supposed to be a consultative process involving the relevant agencies, sectors and stakeholders. The programme also specifies the provision of direction, support and guidance to LGUs in the development and implementation of local ICM programmes. While the programme is a positive development in terms of creating more policy space for community-based coastal resource management (CBCRM), the EO is silent on the participation of the national Fisheries and Aquatic Resource Management Councils (FARMCs) and local FARMCs in the planning. The FARMCs' participation could have served to counterbalance the usual 'top-down' mode of government planning.

#### Government Plans and Programmes

##### Comprehensive National Fisheries Industry Development Plan

The Comprehensive National Fisheries Industry Development Plan (CNFIDP) is a framework for improvement of fisheries management in the Philippines. It was developed with the private sector (including NGOs, POs, and commercial and aquaculture sectors) through a series of consultations. The final draft version of the CNFIDP, completed in the last quarter of 2006, has been completed and submitted to BFAR for adoption and implementation. CNFIDP calls for more investment towards research and development, especially in aquaculture, with the goal of making Philippine fisheries more competitive in the global market.

##### Aquaculture Development

The Aquaculture for Rural Development (ARD) Programme is the Philippine government's platform for realizing the goals of the Philippine Medium-term Development Plan (MTPDP) for agriculture. The priority of the MTPDP is job generation through agribusiness. In the fisheries sector, 17,000 ha of aquaculture and mariculture areas are targeted for agribusiness development. The government expects to generate some 700,000 new jobs from this sector.

The ARD has been criticized by civil society for its market-led approach, inconsistent with the goals of sustainable development, and exclusive and preferential rights for municipal fishers. Due to the high capital investments required for the establishment of fish cages, very seldom do fisherfolk organizations engage in mariculture as operators. Some sectors complain that only a few fisherfolk become fish-cage workers but the majority are dislocated from their fishing grounds and are forced to use fishing nets instead of cheap hooks-and-line. In addition, their livelihoods become more vulnerable to fish kills due to the degraded condition of the waters.

#### Key Fisheries Management Measures

A range of fisheries management options currently being used by both government and civil society groups has been given legal mandate by the current policy environment. These management options include:

##### Fishery Habitat Management or Conservation Zones

A popular approach is the establishment of marine protected areas (MPAs). MPAs refer collectively to areas in the marine region, whether coastal or offshore, set aside for management and conservation measures or to areas where some semblance of protection, whether legislated or not, is exercised. MPAs are also referred to as 'fish sanctuaries' or 'marine reserves'. These are still used within the context of local government and community-based projects, but the use of 'marine protected area' is now common at the national level to refer to any such marine or coastal protected area, often within the context of a broader coastal management regime or programme. In fact, the Fisheries Code provides for at least 15 per cent of coastal areas of each municipality to be designated as fishery refuges and

sanctuaries. However, this provision is not widely observed. The concept of defining zones to limit fishery activities and defining areas for fishery conservation and regeneration has been applied in developing Coastal Development Plans through some municipal fishery ordinances. It has been noted that a large number of MPAs have been declared in the Philippines but less than 20 per cent of these are functional. Nonetheless, there have been several documented cases where MPAs have been successful in conserving and regenerating resources and uplifting the fisheries in the locality. These successful MPAs are mostly in areas where fisheries are more associated with seagrass beds and where other fishery management measures are used in combination.

It should be noted that establishment of MPAs is done by the Department of Agriculture (DA). Problems arise when local governments fail to see the need to pass complementary municipal fishery ordinances. This is especially true when encroachment into the MPA occurs. The community, the LGU and the DA then begin pointing to one another as to who should protect the MPA.

#### Temporal and Spatial Limitations on Fishery Activities

These involve the declaration of a closed season wherein the taking of specified fishery species by a specified fishing gear in a specified area or areas in Philippine waters is prohibited during a specific duration. Limited entry and fishery activities may be applied to an overfished area. Closed seasons have been applied at the local level either to regenerate fish stocks in a severely depleted fishing ground or to conserve the population of a target species by prohibiting its capture during the reproductive stages of its life cycle.

#### Licence Control

Access to fishery resources can be controlled by limiting the number of licences, based on the total allowable catch (TAC). Apart from the actual number of licences released, licence fees must reflect the resource rent. However, this measure is seldom used. A measure more often employed is the moratorium on the issuance of new commercial fishing licences. Licence fees are also still not based on the resource rent, primarily due to the clamour of the commercial fishing sector.

#### Catch Ceilings

Limitations or quota may be established for a specified period of time, area or target species. Again, this measure is seldom employed due to the lack of accurate time series data. An example of its application is the incorporation of TAC in the Philippine National Tuna Plan for specific tuna species.

#### Fishing Gear Limitation or Prohibition

The Fisheries Code provides a wide array of prohibition on fishing gears that destroy fish habitats (for example, fishing using explosives and poison, *muro-ami*), harvest juvenile fish (for example, fine-mesh nets), and overexploit nearshore fisheries (for example, all active fishing gears in municipal waters).

#### Biodiversity Protection

Species-specific closed seasons shall take effect over rare, threatened and endangered species. Also, the capture of breeders and spawners of great commercial value (for example, *sabalo*) are deemed unlawful. To further protect indigenous and endemic species, limitations are imposed on the introduction of foreign aquatic species and the obstruction of defined migratory paths of various species.

#### Market-based Restrictions

Market-based restrictions are also provided to deter illegal and destructive practices. They include limitations or prohibitions on the import/export of fish and fishery species; export of breeders, spawners, eggs and fry; and dealing with illegally caught fish.

### Overview of Community-based Systems

Though the Philippine policy environment provides the needed space for community-based resource management, this does not necessarily lead to a community-based resource management.

The term 'community-based' connotes several approaches to different stakeholders and coastal resource managers. At one extreme, community-based refers merely involving fisherfolk in coastal resource management (CRM), either as beneficiaries or as stakeholders that need to be consulted. This level of a community-based system can be seen as being initiated by current policies in the Philippines. These are often termed as 'co-management', where partnership arrangement with the community of local resource users (fishers), government, other stakeholders (boat owners, fish traders, boat builders, business people, etc.) and external agents (NGOs, academic and research institutions) share the responsibility and authority for the management of the fishery.

At the other end, CBCRM suggests a major, if not a leadership role, in managing coastal resources and addressing coastal dwellers' needs. This form of CBCRM has not been legitimized but is being achieved in several areas in the Philippines where strong civil society is making its presence felt.

#### Co-management

Through consultations and negotiations, the partners develop a formal agreement on their respective roles, responsibilities and rights in management, referred to as 'negotiated power'. Co-management is also called participatory, joint, stakeholder, multi-party or collaborative management. Co-management covers various partnership arrangements and degrees of power sharing and integration of local (informal, traditional, and customary) and centralized government management systems. These co-management systems are commonly employed by government programmes (like the ADB-funded Fisheries Resource Management Programme, and the Coastal Environment Programme) and large-scale integrated coastal resource management programs (like the United States Agency for International Development (USAID)-funded Coastal Resources Management Programme).

The establishment of FARMCs by the Fisheries Code is an example of how fisherfolk are able to participate in fisheries policymaking. The FARMC is a recommendatory body composed of representatives from government, fisherfolk organizations and NGOs. The majority of its members are representatives of different fishers' organizations. Fishery Administrative Order (FAO) 196 was subsequently passed to provide guidelines on the creation and implementation of FARMCs. FAO 196 also defined the composition, tenure and functions of FARMCs at each level. The introduction of FARMCs was exceptional in the sense that it forces LGUs to clearly distinguish between agriculture and fisheries. The FARMC highlighted the fact that the Municipal Agriculture Offices are predominantly agriculture-focused and fisheries-incompetent. This has also emphasized the need for participatory decisionmaking, given that the real experts in fisheries are the fisherfolk themselves. While it has opened up governance to community participation, there are still issues that need to be addressed on the FARMC structure, the selection process, and clarification of the roles and internal mechanisms, which would help to make it a more effective avenue for pursuing the objectives of the fisheries sector it is supposed to represent. One of the major amendments recommended by NGOs and POs for the review of the Fisheries Code is the section on FARMCs.

Another example is the PAMB, the policy-making body for protected areas. The PAMB is led by the DENR official in the locality and includes representatives from the LGU, fisherfolk organizations and NGOs. Unlike the FARMC, the PAMB has the power to make policies under the NIPAS Act. However, there are several cases wherein the PAMB is not functional, due to a wide variety of reasons, and fisherfolk organizations lobby for the creation of a FARMC to be able to voice their needs.

EO 533 provided for a mechanism for DENR to lead integrated coastal resource management systems that would pool together various concerned government agencies and recognize the contribution of civil society.

#### Community-based Coastal Resource Management (CBCRM)

Often distinguished from co-management is community-based coastal resource management, a process whereby local people and communities organize themselves and play a central role in identifying their resources and their development priorities, and in implementing CRM activities. CBCRM is often advocated and implemented by civil society using the available democratic space in



the policy environment. CBCRM in the Philippines originated from two traditions of social movements, the conservationists and those concerned with human rights. The guiding ideas of CBCRM include participation, empowerment and equity (Ferrer et al., 2004). As such, CBNRM is often counterposed to the government-centred or top-down approach wherein government officials and agencies take on the lead role in formulating policies, choosing appropriate management technologies and implementing natural resources management (NRM) programmes.

The community-based approach rests on the premise that people who actually use a given resource, and who gain first-hand knowledge of such resource from their daily interaction with the natural environment, are in the best position to protect and manage it. CBCRM thus asserts the principle of local community control and initiative, while recognizing the importance of institutional and policy contexts in influencing its performance in harnessing local resources and using them productively, equitably and sustainably to meet community needs. CBCRM commonly employs the following methods: (1) community organizing; (2) participatory research; (3) capability building through education; (4) coastal resources management; and (5) networking, advocacy and governance (Ferrer et al., 2001). CBCRM has gained wide popularity in the Philippines as a development strategy amongst NGOs. Even the MTDP of the Arroyo government espouses a community-based approach in addressing coastal environmental problems. However, the actual application of a community-based approach is still limited and remains an exception instead of the rule. The unique nature of CBCRM and the manner in which it has been embraced by communities, NGOs and even government and international development agencies has strongly legitimized it as a distinct and countervailing development philosophy and strategy (Vera et al., 2004).

Though there is no consensus on the definition of 'community', it is becoming evident that 'community' is broadening from, initially, the marginalized and disempowered sectors of coastal dwellers to a wider base that includes stakeholders, government, market forces and other actors. Evidently, there is growing concern over striking a balance between excluding others from accessing resources and making benefits inclusive to a wide range of stakeholders. This definition of 'community' is manifested by continuing experimentation by CBCRM practitioners on different strategies. It also puts emphasis on the role of social capital – including linkaging and consolidating social relationships – on CBCRM's impact and sustainability.

With the term CBCRM being widely used to refer to CRM efforts with the participation of local coastal dwellers, it would be practical to at least identify key elements and processes of CBCRM:

- Works primarily and initially with the marginalized and disempowered sectors of the community, which evolves to include the wider community, other stakeholders and actors, in managing coastal resources;
- Recognizes that the primary management unit is the evolving community, and undertakes CRM in the context of community transformation by ensuring social and economic equity, holistic and integrated management, and sustainable livelihoods and development;
- Transforms power relationships by building capacities of marginalized sectors of the community and by facilitating other stakeholders and actors to be more sensitive and responsive to the needs and desires of disempowered sectors towards articulated goals of citizen empowerment, where citizens share decision-making responsibilities over plans, programmes, policy and management; negotiate any attempt at change by outsiders; and access and engage in conflict-management mechanisms;
- Builds on existing local community institutions and bodies of knowledge to facilitate collective action for management of the resources;
- Responds to the dynamic and changing needs of the evolving communities and coastal resources by adopting adaptive and learning structures, processes and rules; and

- Operates initially in manageable geographic scales with the intention of influencing/shaping resource management and community development of a larger common pool of resources.

Despite the expanding scope of a CBCRM community, practitioners are conscious of inequitable power relationships within the community. Transforming power relationships within and outside the community remains a primary goal of CBCRM and the distinguishing mark that separates it from co-management.

In the sociocultural and political realm, one of the major gains of CBCRM identified is ‘people’s participation and empowerment’ in CRM (Ferrer et al, 2001). There is a noted increase in the formation and strengthening of POs, various expressions of community empowerment, and skills and knowledge in both men and women. The emergence of women leaders must be doubly stressed as a major gain of CBCRM over the years, too (Vera et. al. 2004).

On the governance aspect, there is a noted increase in institutionalization of resource management measures, networking and partnership building among organizations (from the community level to NGOs, LGUs and external agencies), participation in local legislation, and the better enforcement of fishery laws (Vera et. al., 2004).

In terms of the ecological and biophysical aspects, gains could be gleaned in terms of protection of natural habitats, enhanced regulation of resource use, and increased biodiversity (Vera et. al., 2004).

On the economic aspect, although livelihood diversification and increased fish catches were noted, gains in terms of increased income are still few. This is discouraging, given that a primary motivation for participation in CBCRM is supposedly socioeconomic gain.

### **Overview of Issues Raised by Fishing Communities/Fishworker Organizations**

#### **Delineation of Municipal Waters**

Department Order 17 issued by DENR provided guidelines for the delineation of municipal waters as provided for in the Fisheries Code.

The major conflict area between municipal fisherfolk and commercial fishers is in the use of the resource-rich continental shelf. The municipal waters were expanded to 15 km, primarily to cover the continental shelf. The Fisheries Code provides that municipal fishers have exclusive use of the municipal waters, unless the municipal council issues an ordinance allowing commercial fishers to use the 10-15 km zone. The policy prior to the Fisheries Code reserved the 7-km municipal waters for the exclusive use of municipal fishers. With the persistent lobbying of municipal fishers and environmentalists, the Fisheries Code extended the municipal waters to 15 km. As a compromise with the commercial fishers, small-scale and medium-scale commercial fishing can be allowed by the mayors in the 10.1-15 km portion of the municipal waters, provided that certain specific criteria are met<sup>1</sup>.

Controversy arose when DENR issued Department Administrative Order 2000-17 (DAO 17) providing the guidelines in delineating and delimiting municipal waters. DAO 17 subscribes to the archipelagic principle. This implies that the measurement of the 15 km will be based on the offshore islands of a municipality/city instead of the island proper of the municipality only. This provides not only a more logical means of measuring municipal waters, it also covers a wider area for the use of municipal fishers.

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<sup>1</sup> The criteria are as follows: a) no commercial fishing in municipal waters with depth less than seven fathoms as certified by the appropriate agency; b) fishing activities utilizing methods and gear that are determined to be consistent with national policies set by the Department; c) prior consultation, through public hearing, with the M/CFARMC has been conducted; and d) the applicant vessel as well as the ship owner, employer, captain and crew have been certified by the appropriate agency as not having violated this Code, environmental laws and related laws.

Although the Philippines is geologically and constitutionally an archipelago, the commercial fishing industry and BFAR are questioning the interpretation of DENR. DAO 17 has been revoked by the DENR Secretary under pressure from representatives in Congress who have or had vested interest in commercial fishing or canning. A new administrative order has been issued which tackled the issue of delineating municipal waters without offshore islands but it is still silent on the issue of offshore islands.

To some sectors, this would have grave implications for 301 towns and cities with offshore islands, which include the rich fishing grounds of Zamboanga provinces, Tawi-Tawi, Basilan, Palawan, Coron and Masbate.

#### Community-based Forestry Management (CBFM)

Executive order 263 provides opportunities for fisherfolk communities to have limited security of tenure over mangrove forests through CBFM. The CBFM has been criticized for not really being community-based in the sense that communities are implementers and not decision-makers in the programme since a number of rules on the usage and management of the resources are already stipulated. More so, some CBFM programmes deal with unorganized communities, leading to internal squabbles and consequent failures.

#### Participation in Policymaking and Enforcement

##### *Local Sectoral Representatives (LSR)*

The campaign to create LSR will help enhance the participation of the municipal fisherfolk, and other basic sectors, in policymaking. The LSR bill will add three seats to the Sangguniang Bayan. The LSRs will have to come from the marginalized basic sectors in the municipality/city. The LSR bill is based on the Constitution and has been filed in the previous Congress. Hopefully, more headway will be achieved during the current administration.

Again, the strength of having representatives in policymaking or recommendatory bodies lies not on the strength of the law mandating such representation but primarily on the political strength of the fisherfolk organizations that are being represented.

##### *FARMC*

While the creation of FARMCs as mandated by the Fisheries Code has opened up governance to community participation, there are still issues that need to be addressed about the FARMC structure, the selection process, and clarification of the roles and internal mechanisms, which would help to make it a more effective venue for pursuing the objectives of the fisheries sector it is supposed to represent. The Fisheries Code failed to devolve the powers to communities by keeping the FARMCs as mere policy-recommendatory body. With most municipal FARMCs organized by the LGU and BFAR, FARMCs have become vulnerable to partisan local politics. The strength of the municipal FARMC lies in the political strength of the fisherfolk organizations and not in the policy itself. Weak or unorganized municipal fisherfolk will fall prey to the whims of local politicians.

##### *Enforcement*

The Fisheries Code provides for the participation of fisherfolk in fishery law enforcement through deputized fish wardens or *Bantay Dagat*, within municipal waters. A measure of local government's sincerity towards community-based approaches to CRM is its willingness to allocate sufficient resources for law enforcement. A particular challenge for many POs is that while they are willing to risk life and limb in *Bantay Dagat* operations, resources are needed to sustain such efforts. While the Fisheries and the Local Government Code prescribes modes of co-operation between LGUs and civil society, resource allocation is still an area where NGO and PO advocacy is critical. At most, the Fisheries Code recognizes the vigilance of the municipal fisherfolk in enforcing fishery laws in the municipal waters. Apart from the LGU being allowed to seek the assistance of the DA in training, the Fisheries Code does not provide for any other financial, physical or technical assistance to the *Bantay Dagat*. The allocation of resources is also needed to address practical concerns of the *Bantay Dagat* such as insurance coverage and social security.

### Judicial Processes

Related to enforcement issues is the advocacy for the creation of special courts to process coastal law enforcement-related cases. It is a source of great frustration for NGOs and POs, who after making tremendous efforts towards apprehension, see violators being set free because of lack of political will and, in some cases, the courts' ignorance of marine laws. The creation of special courts can also address the dynamics of patronage politics.

### Fisheries Liberalization

Fisheries liberalization threatens livelihoods of fisherfolks in several ways. First, the opening of international markets will further rationalize the modernization and production-centered programme of the government. Further marginalization can be expected from the promotion of aquaculture products.

Second, liberalization may provide access for foreign vessels or foreign companies/individuals to local fishing grounds, as experienced in the Philippines-Taiwan Agreement in the 1980s. For example, current Philippines-China bilateral agreements are focusing on cornering investments in different areas. Foreign vessels will provide stiff competition for local commercial and municipal fisherfolk in harvesting depleted fishery resources; suppress local market prices if their catch is sold locally; and depress local food-fish supply if their catch is sold to foreign countries. Moreover, regulation of foreign vessels to ensure operations comply with Philippine CRM policies will be difficult. Currently, restriction of use of the country's exclusive economic zone (EEZ) continues to be a challenge, given the great disproportion between the country's coastline and the government's resources for enforcing provisions in the country's territorial waters. As such, violators (as in the perennial case of Chinese fishing vessels in Philippine waters) caught by the *Bantay Dagat* and local enforcement units are often set free for 'diplomatic' reasons.

Third, dumped imported fish may flood the wet market, causing fish prices to stabilize at a low level all year round. This decreases the income of the small fishers, increases their vulnerabilities during the stormy season and increases spoilage of unsold fish products. Even commercial fishers are forced to increase their production, thus, continuing the encroachment into municipal waters in an effort to save their business. Current trade policies under the Fisheries Code restrict the import of fish to canneries, processing plants and institutional buyers (namely, restaurants, airlines, hotels). An escape clause was provided wherein the DA Secretary can issue a Certificate for the Necessity to Import, which will allow the import of fish for distribution in the wet market. This provision is considered to be inconsistent with Philippine international commitments to trade liberalization. Despite this protectionist policy, research studies show that frozen fish is rampantly being smuggled into the country and distributed in both coastal and non-coastal wet markets. The challenge, therefore, is to protect the livelihoods of millions of fisherfolk from the influx of cheap imported fish.

The stalemate in the World Trade Organization (WTO) negotiations in the Doha Round gave a temporary reprieve for fishers' groups engaged in trade advocacy. But while the WTO is, for the moment, dormant, new arenas are emerging such as the Association of Southeast Asian Nations (ASEAN), which highlight the same issues in the WTO such as liberalization of tariffs and removal of non-trade barriers. It has consistently been argued that greater access to domestic markets will inevitably lead to depressed prices of locally caught fish, and lower incomes for municipal fisherfolk. Lower income from fishing may force municipal fisherfolk to increase fishing activities to compensate for the low value of fish. Opening markets adds an extra pressure to the resources through inducing catches beyond the renewable capacity of resources, and thus impedes the sustainable development of fisheries. Increased trade liberalization in the fisheries and forest sectors is likely to reduce conservation of these resources. Trade liberalization, in the absence of fisheries management, might lead to adverse impact on resources.

### Fisherfolk Settlement

The Philippine Fisheries Code has made explicit the establishment of fisherfolk settlement areas, to be done in co-ordination with concerned agencies of the government, where certain areas

of the public domain, especially near the fishing grounds, shall be reserved for the settlement of the municipal fisherfolk.

However, this provision is weak due to several reasons. First, the law fails to provide the appropriate government agency to lead the implementation of the provision. Instead of the Department of Agriculture (referred to as “the Department” in the Fisheries Code), the more appropriate agencies are the DENR, which has jurisdiction over public lands; the Department of Agrarian Reform, which verifies the inclusion or exclusion of the possible settlement areas in the Comprehensive Agrarian Reform Programme (CARP); and the LGUs, which are vested with the authority to zone lands within their jurisdiction. Second, the section does not provide for the participation of fisherfolk in the establishment of settlement areas. Third, the Fisheries Code fails to allocate the necessary financial resources to implement the provision. Lastly, the provision fails to establish security of tenure for the fisherfolk because it deprives them of the bundle of rights associated with ownership of the land.

The NGOs for Fisheries Reform, an NGO network, is actively pushing for the issuance of a Joint Administrative Order to concretize this provision, specifically in implementing socialized housing “as a primary strategy in providing shelter for the underprivileged and homeless municipal fisherfolk”.

Magna Carta for Women

Women fishers belong to one of the most marginalized sectors in the country and within the fisheries sector in general. Their contribution to fisheries has largely been ignored as fishing is considered a male occupation. Fishery statistics do not even disaggregate the different subsectors and phases in the fish-production process. Moreover, their roles in the production process are not given economic value as they are relegated as extensions of their roles as mothers and housewives. As a result, women have less access to productive resources and political leverage in decisionmaking. Local NGO networks are currently pushing for the passage of a more responsive Magna Carta for Women to address these issues. These NGOs are putting forth concrete recommendations to enhance the current bill including ‘ensured representation’ of women fisherfolk in resource management bodies, specifically the National Fisheries and Aquatic Resources Management Council (NFARMC), local FARMCs, and other co-management bodies or mechanisms, and ‘mandatory consultation’ of women fisherfolk in the development of the CNFIDP and other programmes, policies and services promoting the welfare and interests of fisherfolk. The recommendations also specify that equal status should be given to both men and women in the issuance of stewardship or lease agreements and other fishery rights for the management of coastal and aquatic resources. The Magna Carta for Women is in the final stages of review in the House of Representatives. A similar bill is to be filed in the Philippine Senate.

## CHAPTER 2: CASE STUDY OF CANDELARIA, ZAMBALES

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The following case studies were chosen to illustrate how the existing policy environment that encourages co-management can be extended to CBCRM. It is undeniable that there has been greater awareness and concern over fisheries and coastal resource management due to the growing fisherfolk movement, passage of the Fisheries Code, and implementation of well-funded ICM programmes. These cases are exemplary cases and are not the norm in Philippine coastal communities. Meaningful engagement of fisherfolk in fisheries and coastal resource management involves not only their participation in CRM projects and FARMCs but also the transformation of their environmental and political consciousness.

The first case study shows how fisherfolk in Candelaria, Zambales, are managing their municipal waters by excluding non-resident fishers. The second case study reveals how women, who are generally a marginalized sector in rural communities, led the CRM reform in their municipality.

### Background Information

The town of Candelaria is located in the province of Zambales in Central Luzon, Philippines. It faces the South China Sea on the west and the Zambales Mountain range on the east. The towns of St. Cruz and Masinloc border the north and south sides of the municipality, respectively. It has 16 *barangays*, eight of which are coastal communities, namely, Uacon, Sinabacan, Malimanga, Dampay, San Roque, Libertador, and Lauis and Binabalian. It has total land area of 38,760 ha.

Candelaria is a third-class municipality in terms of income. Candelaria has a total population of 23,399. An estimated 500 fisherfolk directly harvest fish from the municipal waters. Of this, a total of 215 fishers and 164 motorized boats are already registered with the Municipal Fisheries and Aquatic Resource Management Council (MFARMC).

Based on the Municipal Comprehensive Land Use Plan, there is an approximate area of 163 ha of brackishwater with total annual fish production of 769 tonnes, while the freshwater area is around 460 ha, with a total annual fish production of 3 tonnes. Fishing in municipal waters is limited to fishing using boats that weigh equal or less than 3 tonnes.

A variety of gear is employed, mainly due to the wide array of species found in the waters. Dominant gears are hook-and-line, bottom-set gillnet, fish traps and spears. The species caught are fusilier, squid, roundscad, groupers, tuna, anchovies, parrot fish, and milkfish fry.

### Fisheries Policy Background

Candelaria is so far the only town in the province of Zambales with a comprehensive Municipal Fishery Ordinance (MFO) passed in 2003. Samahan ng Mangingisda ng Candelaria (SAMACA), a municipal federation composed of five POs, led the drafting and lobbying for the MFO. The MFO is enforced by the local enforcement units and the *Bantay Dagat*, a volunteer group of deputized fish wardens.

### Communities: Structural and Institutional Aspects

The power structure in Candelaria is informally determined by clans that have long resided in the area. Elected officials come mostly from, or have affinity to, clans that have original roots in Candelaria. Ka Raffy, Chair of the Sinabacan Fisherfolk Association and the Chair of the provincial federation, PARASAMAZA, can be considered a migrant in Candelaria. However, his influence in Candelaria is stabilized primarily by his marriage to Ka Thelma, a member of a prominent clan, in Candelaria.

LGUs and institutions are in place in Candelaria. A prominent local government institution is the *Lupon ng Tagapapamayapa* or Committee on Peace and Order. It is the primary body that handles

conflict resolution, especially in cases wherein there is no law/policy or where the law is not known to the community.

For fisheries, MFARMC is active in coastal communities. It is a quasi-government body created through the Fisheries Code, and is composed mostly of local fisherfolk representatives and government officials. Unlike other towns in the country where the MFARMC is initiated, dependent and led by the Mayor, the MFARMC in Candelaria is supported and led by organized fisherfolk who actively lobby for policy reforms in fisheries. The function of the MFARMC primarily is to provide policy recommendations and implementation support to the LGU with regards to CRM.

Civil society is also active in Candelaria. The Catholic church, as in most towns in the Philippines, is an influential institution in Candelaria. Apart from religious ceremonies, social and cultural activities are initiated and hosted by the Church.

For NGOs, the Sentro para sa Ikaunlad ng Katutubong Agham at Teknolohiya (SIKAT) provides support to fishers by implementing a community-based coastal resource management programme. Several fisherfolk organizations were either strengthened or formed because of its efforts. These organizations include the five POs forming the municipal fisherfolk federation, SAMACA. The programme of SIKAT includes the development and management of fishery resources and the elimination of Violence Against Women and Children (VAWC).

SIKAT also organized the provincial fisherfolk federation, PARASAMAZA. PARASAMAZA supports its member organizations such as SAMACA, through advocacy work at the provincial and national level, enterprise development, organization and capacity development and fishery management. In addition, PARASAMAZA mainstreams gender concerns by providing gender-sensitivity training, and advocating for fisherfolk women agenda at the provincial level (for example, the use of Gender and Development Budget) and at the national level (for example, pushing for the Magna Carta for Rural Women, and networking through PARASAMAZA-women with fisherwomen confederations).

Similarly, the *Bantay Dagat* or the group of deputized local fish wardens is composed of 17 committed individuals who patrol the seas relentlessly. Together with the local police, they effectively enforce fishery policies in the municipality.

For people's organizations, the Mother Rita Multi-purpose Co-operative provides a variety of services for its members and the community, including microfinance. Other POs are mostly sectoral and geographical in nature. There are several fisherfolk organizations that are active in their respective *barangays*. These organizations provide support to their members through CRM, capacity development and enterprise development. Other POs active in Candelaria include the farmers co-operative and an association of mango producers.

#### Women's Role and Status in Communities

Although more women are educated, they are often associated with domestic/reproductive roles that are undervalued in the community. However, transformation of roles is slowly happening with women becoming active in people's organizations and exposed to gender-sensitivity training. Several women have been placed in key leadership roles (like Chair of MFARMC), thus, opening up perspectives of women to perform effectively outside the confines of the home. There is also a slow change in the sharing of productive and reproductive roles between men and women.

In terms of migrating outside the community, more employment opportunities are opening up for women. Women work as domestic helpers or salespersons or seek employment in offices and factory work. Single women are more mobile, while married women are limited to work in neighbouring towns due to their domestic roles in the house. On the other hand, men's work is limited to contractual construction work and factory work, to some extent.

#### Concept of Community

There are three concepts of community that are common among the fisherfolk. The most prevalent is the perception that a community is a group of people who reside in the same location. The size of the community is associated with political boundaries, the size of the resource management unit, and/or the geographical features of the land. In Candelaria, the main units of the community are

the *barangay* and the municipality. In the neighbouring town of Masinloc, where the offshore island *barangay* San Salvador is located, the main divisions of the community are the *purok*, *barangay*, and the municipality. Political leaders are determined based on these divisions.

Another concept of community is based on users of a specific resource or stakeholders. These stakeholders are usually divided into interest groups. These interest groups include fishers, beach resort owners, local government, private sector, etc. Each interest group can further be subdivided into income levels (municipal fisher, commercial fisher) or technology/fishing gear-based groupings. This concept of community does not necessarily imply that the members are residents of the same locality.

A third concept of community involves groups that are 'friendly' to the advocates of CRM. This community includes groups and individuals that support CRM efforts (NGOs, legislators and the private sector) or fisherfolk and stakeholders who comply with CRM policies. Groups and individuals who are not included are the illegal fishers and their supporters.

### Claims on Fisheries

The small-scale fishers have claims on the fishery resources primarily because of their long tradition of fishing. For a few, there is knowledge of the provision in the Philippine Constitution wherein small-scale and subsistence fishers are allowed to harvest fishery resources even though all natural resources are "owned by the State."

It should be noted that the claims of the fisherfolk over fishing grounds and fishery resources is not only based on their livelihood, that is, a desire to access and benefit from fishery resources. It is highly interconnected with the fisherfolk's sense of responsibility to take care of the natural resources.

The fisherfolk believe that they are the stewards of God's creation. As fisherfolk, it is their responsibility to take care of the coastal environment for the present and future generations. Such a perception provides motivation for the MFARMC, *Bantay Dagat* and fisherfolk organizations to be active in the analysis, formulation and enforcement, and review of fishery policy. These institutions serve as a means for fisherfolk to express their responsibility to God, the future generation and the environment. Thus, there is a claim not only to use the fishery resources but also to manage the resources.

Relative to its neighbouring towns, the fisherfolk of Candelaria believe that their municipal waters are small and fragile. If management is not taken seriously, they would be forced to be migrant fishers in other fishing grounds. This would not only mean bigger expenses in terms of fuel, but also mean that they would be dependent on how fishing communities manage these distant fishing grounds. Such a situation adds to their vulnerability as small fishers.

The organized fisherfolk groups believe that other fishers use their municipal waters because these fishers fail to properly manage their own fishing grounds. Since these migrant fishers do not reside in this municipality, it would be difficult to convince the migrant fishers to participate in the proper management of the municipal waters of Candelaria.

This claim to manage the resources implies the ability to exclude commercial fishers with fishing vessels and gear that inequitably compete with municipal fishers with small boats and passive or relatively inefficient fishing gear.

These claims are reinforced by provisions of the Fisheries Code that give resident fishers of a municipality, priority over the use of these resources. Though this provision does not necessarily exclude non-resident fishers, the fisherfolk organizations and the MFARMC have lobbied to push the limits of the law by reserving the fishing ground for exclusive use of the resident municipal fisherfolk. The ensuing MFO rules that only fishers who are residents and are duly enlisted in the fisherfolk registry maintained by the MFARMC are allowed to harvest fishery resources in the municipal waters of Candelaria. This exclusion of non-residents confirmed that the concept of community of the fisherfolk was primarily locality-based, instead of sectoral.

Local fisherfolk admit that they used to go to other fishing grounds outside their municipal waters, primarily to catch fish species not found in the area. However, with the increased protection and



enforcement of policies, they now limit fishing in neighbouring fishing grounds. This, in a way, is also in preparation for their eventual exclusion in other municipal waters.

### **Claims on Coastal Lands**

Since their ancestors have long lived in Candelaria, the fisherfolk laid claim to the small portion of land where they reside. They were unfamiliar with land laws and did not see the need to have the land titled to their names. Thus, some families were shocked when they learned that someone already has a title to their lands.

It is common for fisherfolk not to have titles to their lands. With most fisherfolk residing near the shore where the land erodes or accretes, there is common belief that these lands are common, if not public, lands. They lay claim primarily by paying tax declarations for the property. In other towns of Zambales, beach development for tourism purposes threatens settlement areas. In reclaimed areas, people are able to title the land and rent it out to fisherfolk.

### **Community Actions to Support Claims**

#### Fisheries

A wide range of issues related to fisheries were cited by the fisherfolk. These included destructive fishers (dynamite and cyanide fishers) from the same municipality; encroachment of migrant and commercial fishers; unregulated mushrooming of fish cages and fishponds; sand quarrying; pollution; lack of political will to implement laws; lack of understanding of fisherfolk rights, among other things. However, the underlying problem was the marginalization of small-scale fisherfolk in the determination and management of their livelihood and their environment.

Community actions to actively involve fishers in CRM included:

- strengthening of the ranks of the fisherfolk (including capacity development of fisherfolk and awareness building on the need for CBCRM);
- lobbying for a municipal fisheries ordinance which reflected the desires and needs of the fisherfolk community and facilitated ease of enforcement;
- information and education campaign on the policies;
- fisherfolk participation in law enforcement;
- networking and linking with POs (fisherfolk and other sectors), NGOs and concerned government agencies and units; and
- continued engagement with LGUs.

The SFA has long existed as a fisherfolk organization in Candelaria. However, new energy was tapped when other fisherfolk organizations were formed and capacities to represent the fisherfolk communities and influence the LGUs were developed. People became aware of their rights and were able to voice their needs in order to sustain their livelihoods. People became more concerned with their environment and the need for community development.

With a critical mass and a collaborative engagement with the LGU, the fisherfolk lobbied for the Municipal Fisheries Ordinance. The fisherfolk had to understand the national law well and determine ways to adapt the law within legal confines. Their process of adapting and refining the national law for a municipal ordinance was stimulated by the national efforts of NGOs for Fisheries Reform (NFR), which underwent its own process of reviewing the national law. This national review process was in lieu of the mandatory review of the Fisheries Code after five years of its passage. The review process helped the local fisherfolk identify loopholes in the national law. With assistance from SIKAT, they lobbied for a municipal ordinance that was able to cover loopholes of the Fisheries Code (allowing commercial fishers inside municipal waters under specific circumstances, migration of non-resident fishers into municipal waters).

As earlier mentioned, the most salient portion of the MFO was the exclusion of non-resident fisherfolk from catching fish inside the municipal waters. Through the ordinance, it was easier to

manage the resources. Migrant fishers were easier to spot since they did not subscribe to the colour-coding of the municipality. They were immediately approached by *Bantay Dagat* officials to escort them outside municipal waters.

In addition, fishing gear management is also observed. The MFO contained provisions on fishing gear that were both prohibited and allowed in the municipal waters. The prohibited list of fishing gear aimed to stop the use of destructive gear (fishing using explosives and poison, trawls), unsafe gear (like electrofishing) and highly extractive gear (trammel nets and other active gear). On the other hand, the list of allowed fishing gear regulated the technological innovations that can harm or put undue stress on the fishery resources.

A 190-ha MPA has also been established in critical areas of the municipal waters to help regenerate depleted resources. No activity is allowed in these areas except for research purposes. The fisherfolk organizations continually conduct monitoring research in the MPA to check the health of the reef.

Through information and education campaigns and the vigilance of the *Bantay Dagat*, migrant fishers from neighbouring towns and provinces were effectively excluded from fishing inside the municipal waters. The *Bantay Dagat* are vigilant but highly diplomatic with outside fishers. Through such an approach, illegal and migrant fishers complied with rules with relatively minimal conflict. Initially, migrant fishers were surprised about the ordinance and protested their exclusion. These fishers requested for permits to be issued by the municipal government but were denied them. Fisherfolk estimate that fishing pressure was reduced by 40 per cent through the exclusion of migrant fishers. Also, illegal fishing activities have been stopped inside the coastal marine waters. The policy was later rationalized and co-ordinated informally through the provincial fisherfolk federation, PARASAMAZA.

At a focus group discussion, fisherfolk in neighbouring towns expressed their jealousy over the support and political will shown by the local government to the efforts of the fisherfolk organization, MFARMC and *Bantay Dagat*. Instead of feeling deprived from fishery resources in Candelaria, they now lobby their own local governments to manage their municipal waters by regulating the number of fishers who use the fishing grounds. The MFO of Candelaria is now considered as a model fisheries ordinance in the province. Several towns are currently deliberating on their own municipal fisheries ordinances using the Candelaria ordinance as a template, helped by lobbying of other fisherfolk organizations that are members of PARASAMAZA.

After the passage of the MFO in 2003, the fisherfolk were challenged when the Mayor, who supported the ordinance, lost the local elections in 2004. Often, highly partisan local politics lead to the reversal of programmes and policies that are associated with political enemies. However, the influence of the municipal fisherfolk federation in Candelaria was wide and crossed political parties. This influence became the source of power of the fisherfolk organizations, and the new administration recognized this. Instead of challenging the highly progressive MFO, the new Mayor supported it and provided resources to implement it.

The fisherfolk organizations responded by engaging co-operatively with the new administration through sharing of information and actively participating in the MFARMC and the *Bantay Dagat*. They also give due recognition to the support of local government to their fellow fishers.

SIKAT aided local organizations in the monitoring of resources. Through locally trained divers, the capacity to monitor the resources has been passed to the provincial federation, PARASAMAZA. The information gathered is shared with LGUs and the provincial office of BFAR. This sharing of information is part of the engagement of the local fisherfolk organizations with the LGUs and government agencies.

Now, the fisherfolk organizations are confident that the fishery management policies that they have lobbied for, would be sustainable since they have passed the challenge of changing political administrations. .

Fisherfolk now claim that local fish catch is modestly growing without affecting the market price of the fish. Larger fishes can now be seen being sold in the public market. Fish species not commonly found in the area are slowly making the waters their new home. Fishers can now catch wild fish in

the rivers. Fisherfolk recall how a guest marine biologist was startled to catch a large *talakitok* during the off-season.

#### Settlement Areas

The heated debate on fisherfolk settlement in Candelaria has divided communities and organizations over a seven-ha piece of land. If the courts were to rule, the land would be awarded to the title owner, M F Fernandez, since the land title is the binding legal instrument recognized by the court. Tax declarations on the property and birth certificates presented by the fisherfolk are weak evidence for claiming ownership of the land.

The Mayor of the town has tried to mediate in the land row by negotiating a compromise between the title owner and the fisherfolk residents. A portion of the land has been negotiated to be sold by the title-holder to allow the residents to buy the land. From the initial offer of three ha, the mayor was able to negotiate this to five ha. Through the Community Mortgage Programme (CMP), the residents will be allowed to buy the land and have it titled through an affordable installment plan.

This plan is amenable to some community members but the price tag for the land is still too high for other residents. Thus, the other half of the community continues to resist the compromise since they claim that it legitimizes the title that was illegally grabbed from them. They claim that they would be willing to buy the title but they do not want to recognize the legality of the current title. Also, they claim that the compromise agreement will mean additional expenses for the fishers since they would be forced to 'move' their houses to the agreed location.

The residents are also lobbying that the LGU serve as guarantor for the CMP. Much as the LGU wants to settle the issue once and for all, the LGU does not have the financial resources to serve as guarantor. The LGU says it is still paying off debts incurred by the previous administration.

SAMACA attempted to intervene in the debate by pushing for a Fisherfolk Settlement Area and recommending zones for specific purposes to be incorporated in the Comprehensive Land and Water Use Plan of the Municipality. They cite the provision on fisherfolk settlement in the Fisheries Code. This, however, has not yet gained ground.

#### Rights

As mentioned earlier, fisherfolk rights, claims and responsibilities are highly interconnected and converge on the need for sustainable livelihoods for the fisherfolk.

The recognized rights that are perceived significant to the fisherfolk in Candelaria include the following:

##### Utilization and Management of Resources

The right to use fishery resources for subsistence is enshrined in the Philippine Constitution. Management of local fishery resources is considered not only a responsibility but also a right. Though this right is invested more with the LGUs rather than the fisherfolk communities by the Fisheries Code, it is evident that the spirit of the law is to devolve powers to the fisherfolk to manage the coastal resources.

##### Settlement

As mentioned, fisherfolk settlement is recognized by the Fisheries Code. However, the law fails to provide details on how this right will be enforced. The law does not recognize that the area of settlement shall be the same area where fishers are currently settled. Thus, there are still areas for improvement in the law for the government to honour this right.

#### Responsibilities

##### Management of Coastal Resources

There is common agreement that as stewards of the earth, people are supposed to take care of the natural resources. The fishers recognize that the LGUs, with their limited resources and capacities, cannot manage the coastal resources on their own. The significance of these resources to their

livelihood compels the fishers to become more active in management. The responsibility to take care of the natural resources is clearly expressed by becoming active in fisherfolk organizations, *Bantay Dagat*, MFARMC and the LGU. For non-members, this responsibility is shown by complying with rules (Fisheries Code and MFO) and sharing knowledge on illegal activities with the authorities or the *Bantay Dagat*.

#### Maintain and Improve the Land

In terms of settlement areas, residents cite the need to maintain the land by keeping areas clean and safe. Improvement of the land is mostly expressed by adding vegetation. It is their responsibility to ensure that outsiders would not settle illegally in the area. Ironically, these responsibilities are not carried out well enough by the residents in the settlement area in question. Several fisherfolk claim that the area in question was ill-maintained and squatters often entered the community. They say that the land was not valued by the residents then. It was only now that somebody was staking a claim over the land that the community is beginning to value their land and becoming conscious of their responsibilities.

#### Support Government to Protect Rights

The fisherfolk also recognized the huge role of government in protecting their rights. Support to government primarily includes payment of necessary taxes. For some, it extends to volunteering for community-based initiatives (*Bantay Dagat*, *Barangay Tanod*) to enforce laws and maintain peace and order.

### Community-rights Regimes

Although CBCRM is becoming a popular approach, it would not be correct to say that the Philippines has a community-rights regime. The Fisheries Code provides several opportunities as starting points for a community-rights regime such as decentralization of the jurisdiction of municipal waters to LGUs, creation of the MFARMC, prioritization of resident fishers in the use of municipal waters, recognition of traditionally marginalized sections of the fisherfolk sector (women and youth).

However, there is still much more work for fisherfolk communities to realize a community-based rights regime. As seen in the case study, LGUs must pass fishery ordinances that would limit the pressure from migrant fishers, to be able to successfully manage municipal waters.

During the focus group discussion, a debate ensued regarding who should initiate CRM in upland communities where electrofishing was still being practised. The *barangay* councillor argued that he was waiting for the POs to push the council to enforce the MFO in the upland *barangays*. He claimed that he needed a mandate from the people to pursue the cause. On the other hand, the *Bantay Dagat* members and the fisherfolk organizations argued that they would only follow the lead of the *barangay* council in the community since they are not from these communities. They were apprehensive about leading such a campaign since their unfamiliarity with the community could have led to unnecessary tension and conflict. In the end, it became apparent that what mattered more was co-ordination between the fisherfolk organizations and the *barangay* officials to implement the law.

Strong fisherfolk organizations or representatives must fully engage the LGU in order to transcend the recommendatory nature of the MFARMCs and avoid becoming a puppet institution of local politicians. In addition, further harmonization between the functions of the BFAR, the DENR and the LGUs needs to be done in order to develop more efficient, decentralized and devolved governance systems for the coastal zone.

According to the fisherfolk, a community-based approach does not mean that the government should abandon its duties and responsibilities and pass them on to the fisherfolk. Instead, the community-based approach pushes the local government to recognize that fisherfolk are key partners of LGUs in serving their constituents. This recognition, including the development of capacities and knowledge in fisheries management and community development, has built up the confidence of the common fisherfolk and empowered them to voice their vision and position on different issues.

This empowerment is greatly recognized by fisherwomen who are members of the organizations. Not only do they get the opportunity to participate in activities outside the household, their

knowledge and skills as leaders are recognized by others. Their role in development is more valued. Transformations from the community/organization/household level to the individual level are slowly happening.

## CHAPTER 3:

### CASE STUDY OF

### HINATUAN, SURIGAO DEL SUR

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#### Background Information

Mahaba Island is located off the coast of the municipality of Hinatuan in northeastern Mindanao, around 20 minutes by motorized boat from the mainland. It is one of the 15 coastal municipalities of the province of Surigao del Sur facing the Pacific seaboard. Hinatuan is bounded in the north by the municipality of Barobo, in the south by Bislig City, in the east by the Pacific Ocean, and in the west by the municipality of Tagbina. The municipality is composed of 24 *barangays* with a total land area of 423.57 sq km.

Around 54.47 per cent of the area is devoted to agricultural use, 36.79 per cent has been allotted to forest reserves, and the remaining 8.74 per cent consists of built-up areas, open grasslands, fishponds and open waters.

The total population of Hinatuan in 2000 was 36,170 (18,504 males and 17,666 females), which is 7.21 per cent of the provincial population (501,808) in the same year. This was distributed in around 6,445 households. In 2000, *Barangay* San Juan, where Mahaba Island is situated, had a total population of 1,321 individuals, spread in 252 households (NSO, 2000). Mahaba Island has a population of 329 individuals.

#### Fish Production

Annual production from marine fisheries for the whole of Hinatuan is 580 tonnes. From inland fisheries, the total annual production is about 315 tonnes. Cultured species include prawns, *bangus* or milkfish, tilapia, and mud crabs. Seaweed production comes to around 200 tonnes per year.

Fishing is the main source of livelihood in Mahaba Island. Some of the main fish species caught around the island are *danggit* or rabbitfish (*Siganid sp.*), *kabasi* (*Anodontostoma chacunda*), sea bass (*Centropomidae sp.*), *katambak* (*Lutjanids*), *lapu-lapu* (*Serranids*), *moong* (*Pomacentridae*), *gono* (*Atherinidae*), and *mangagat* (*Latidae*). Shellfish and mud crabs are also found and harvested around the island, as well as *lima-lima*, *sikad-sikad*, and *bungkawil*.

The fishing gear commonly used by fishers in Mahaba Island include single nets, hook-and-line (*bingwit*), spears (*pana*), and a variety of fish traps. All fishers in Mahaba are marginal fishers using small boats or *baroto*. Only a few own motorized boats as these cost around five times more than the ordinary unmotorized vessels.

#### Status of Resources

Continuing threats to Hinatuan's coastal and marine resources include mangrove clearing for building fishpond, illegal fishing and overfishing, and poaching inside declared marine sanctuaries. Illegal practices like dynamite fishing and the use of triple-mesh nets (overlying nets of different sizes) have been identified as the main reasons for the rapid decline in fish catch in the mid-1990s. Commercial fishers using big boats and more efficient gear have also intruded into municipal waters and have accelerated overfishing. Pollution has been a major concern, with quarrying activities inland and dumping of domestic wastes in coastal areas.

Community-based resource management and enforcement activities initiated by small fishers and the Centre for Empowerment and Resource Development (CERD), starting in 1998, have substantially reduced the incidence of illegal fishing and intrusion of commercial fishers into Hinatuan Bay. Rehabilitation efforts by POS, CERD and LGUs have also helped restore degraded mangrove ecosystems along Hinatuan's coast and around offshore islands like Mahaba.

Marine resources in Hinatuan Bay include endangered species whose protection has served to further highlight local resource management and conservation efforts. Several varieties of marine turtles including the hawksbill turtle (*Eretmochelys imbricata*), olive ridley turtles (*Lepidochelys*

*olivacea*), green turtles (*Chelonia mydas*), loggerhead turtle (*Caretta caretta*), and leatherbacks (*Dermochelys coriacea*) have been observed in the bay. Experts have identified Mahaba Island as one of the nesting sites for these marine turtles in Hinatuan (Byrne and Hines, 2005). Another endangered species inhabiting Hinatuan waters is the sea cow (*dugong dugong*). Habitat loss and degradation, fishing activities, and local consumption pose threats to the remaining population of these endangered creatures. The approved Hinatuan Municipal Fisheries Ordinance of 2004 has declared the conservation of these species as a policy of the municipal government (Article II, Section 1).

#### Legislation and Management Measures

The Provincial Council of Surigao del Sur approved and adopted the Hinatuan MFO in June 2004. Among other things, the MFO provided for, and put in place, the following policies and management systems:

- A participatory coastal governance regime that mandates the municipal government to manage, protect and regulate the use of coastal and marine fishery resources, consult with the MFARMC, and delegate its powers to the *Barangay* Fisheries and Aquatic Resources Management Councils (BFARMCs), NGOs, and fisherfolk organizations in enforcing fishery and environmental laws;
- Exclusive use of Hinatuan's coastal and fishery resources for Hinatuan residents, with preferential rights to marginal and subsistence fisherfolk;
- Prohibition of commercial fishing within municipal waters;
- Prohibition of fishing activities within declared marine sanctuaries and overfished areas;
- Regulation of all fisheries activities in municipal waters, including aquaculture activities, through the imposition of fees, issuance of licences, leases and permits, and registration of fishers, fishing boats, and fishing gear;
- Zonation of coastal waters, delineating areas reserved for navigational lanes, construction of various fishing structures and apparatus, economic zones, and MPAs or marine sanctuaries. Eight established marine sanctuaries, with a total area of 476.3 ha, have been included and classified under the said zonation scheme; and
- Prohibition of specific fishing gear, including fine-mesh nets, triple nets, *baling* (beach-seine), and *sud-sud* (push-net) within municipal waters. Fishing with explosives, poisonous and noxious substances or chemicals, and electricity has been declared illegal.

#### Structural and Institutional Aspects

Around 80.67 per cent of the total households in Hinatuan have an annual income of Php 20,000 (around US\$418) and below. Apart from subsistence fishing, which is their main source of livelihood, residents of Mahaba Island engage in copra production, marketing of other marine products like mud crabs and shellfish, and retailing. Except for a relatively well-off prospector from the mainland who had a house constructed in the island, economic differences among the 83 households in Mahaba are not pronounced.

CERD organizers, however, note access to fishing gear as a cause for some inequity, as only a few households in Mahaba can at present afford expensive fish nets and motor boats that usually give bigger catches and more income.<sup>2</sup> Some PO members who are able to engage in other livelihood activities like marketing of fish products in the mainland and retailing (including operation of small community stores) earn extra income and report being able to save some amount, which is usually invested in purchasing additional fishing implements or set aside for unexpected expenses.

Mahaba Island is considered one *sitio* of *Barangay* San Juan. An appointed *sitio* leader links the island community to the quasi-governmental *barangay* structure based in the mainland. A more recent and recognized community institution is the PO, Ladies in United Movement Onward to Development

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<sup>2</sup> Single nets (*pukot*) cost around Php 2.80 or US\$0.062 per m. Fishers in Mahaba commonly use around 100 m (Php 280 or US\$6.22). From informal interview with Juvenal Nilda, 2 March 2007.

(LUMOT) that started out in 1998 as a 23-member group, composed entirely of women. Since then, the organization has been active in resource management and livelihood improvement efforts in Mahaba Island. It has provided various services to the community, benefiting also non-members. The PO has also begun addressing the settlement issue faced by the residents. PO leaders and members link the Mahaba community with governance bodies and structures in the mainland, including the municipal government, fisheries regulatory agencies, national agencies, development and planning bodies, and the PO federation. With male relatives of members as well as other male residents subsequently joining the organization, the PO changed its name to Ladies in Unity with Men Onwards to Development to reflect its new mixed composition.

Women, however, have remained active and still occupy key leadership roles within the organization. Through the years, with their experience in LUMOT, men in the island have come to recognize the significant role played by women in CRM and community development work. Women residents continue to take part in regular patrolling and enforcement operations as deputized fish wardens. They also continue to take the lead in resource management activities like mangrove rehabilitation, sanctuary maintenance and monitoring, and coastal clean-ups. CERD has also initiated and organized seminars on gender sensitivity and violence against women (VAW) to help mainstream women and gender concerns in LUMOT's work. Men have been active participants in such activities as well.

### Concept of Community

LUMOT members' definition of the community is based on two factors: participation in CRM efforts and compliance with local fisheries regulations.

#### Contributions to CRM

Concern in protecting the coastal environment and actual contribution to resource management activities are deemed important considerations for inclusion in the community since these are seen to be among the main reasons for organizing and undertaking CBCRM, in the first place. These criteria have little to do with membership in the PO. Members actively encourage non-members to be involved in the organization's activities. PO members also cited conducting information dissemination campaigns and community assemblies, in co-ordination with *barangay* officials, among the unorganized residents to ensure inclusiveness in local actions. Non-members have joined resource rehabilitation, enforcement and other management activities done by the PO in the past.

Such concern for coastal environmental protection and sustainable management also serves as the basis for the expanded concept of the community that includes other stakeholders who support local efforts. These stakeholders would include national government agencies, LGUs (*barangay*, municipal), the Church, academic institutions, and NGOs. However, they are seen to perform only a supporting role in actual resource management. For CERD, small-scale fishers are still the primary stakeholders as it is their main source of livelihoods that is at stake in any CRM intervention. Existing local power relations would also require that small fishers be organized first before they link up with other stakeholders for CRM, to ensure that they are able to effectively assert their interests and negotiate with local power holders.

The PO members showed little inclination to define the community as a social group, or in terms of collective action occurring within a well-defined geographical unit or territory. Residents of neighbouring *barangays* within Hinatuan, as long as they participated or subscribed to local resource management efforts, thus could be considered part of the community, even though they do not actually live in Mahaba Island. They are thus free to fish in the waters around Mahaba Island, except inside the delineated sanctuary and subject to existing municipal fisheries regulations. The male respondents, however, noted how exclusive use could be possible among Hinatuan's coastal *barangays* if sustainable resource management measures are adopted within each of these LGUs.



#### Compliance with Existing Rules

Compliance with local fishing regulations, particularly with regard to the use of non-destructive fishing methods and the observance of the no-fishing rule in the established sanctuary, provides a clear basis for delineating who are included and who do not belong to the PO's idea of community. Violators are excluded from the community. Such exclusion, however, is considered temporary especially in the case of small fishers who have resorted to illegal fishing activities. A willingness to change and turn away from environmentally destructive practices on the part of these offenders, and contingent on them serving any penalty or sanction stemming from the violation, could eventually lead to their 're-inclusion' into the community. Some PO members, in fact, were illegal fishers themselves before they became aware of their environmentally detrimental practices and joined the organization.

#### Claims on Coastal Resources

LUMOT members' concept of their claims to marine and coastal resources is based primarily on their contributions to manage the resource, and stem from their perceived rights over the benefits resulting from protection and management activities. Such claims to resources, however, do not entail ownership but are instead based more on the idea of stewardship: rights to access and use coastal resources proceed from collective actions to manage and improve on such resources.

#### Establishing Stewardship

PO members see CERD's resource management interventions beginning in 1998, and subsequent events leading to the establishment of the local organization and community sanctuary, as instrumental in the development of awareness of such rights over coastal resources. Before such initiatives, PO members noted how many of them were not that conscious of their collective potential in protecting their coastal environment and of their claims over community resources.

Volunteers from Voluntary Service Overseas (VSO), mostly marine biologists, came to Hinatuan and helped in delineating and setting up community sanctuaries, which included the 19-ha Mahaba Island sanctuary. The volunteers explained to the community the need for setting up the protected area, and helped the local people identify suitable sites (based on the presence of critical coastal ecosystems like coral reefs, seagrass, mangroves, etc.). The boundaries of the sanctuary were outlined and proposed to the community at a public hearing. The suggested regulations, including the banning of trammel nets, *baling* or fine-mesh nets, dynamite, and *tubli* (cyanide), were also presented during the public hearing. The experts' findings and recommended resource management measures resonated well with past experiences of declining fish catch among the Mahaba Island fishers, and were thus easily validated and approved.

#### Strengthening Claims on Resources

As with other community marine protected areas in Hinatuan, fishing activities are prohibited inside the Mahaba Island marine sanctuary. Community members and small-scale fishers from neighbouring *barangays* are still allowed, though, to fish outside its boundaries as long as they comply with local fishing regulations regarding prohibited fishing gear and practices. The 2004 MFO reserved the municipality's coastal and fishery resources for the exclusive use of Hinatuan residents. The ordinance also granted preferential fishing rights to marginal and subsistence fishers and their families within municipal waters. Other activities like research and surveys for purely scientific and educational purposes were allowed, subject to existing regulations (Article III, Section 5).

Claims and preferential rights over fisheries resources around Mahaba Island and within Hinatuan's municipal waters have strengthened through the years since LUMOT and CERD started implementing resource management measures. The approval of the MFO and the municipal government's support to the PO and their enforcement groups further bolstered the residents' perception of such claims. PO members narrated, for instance, how fishers from neighbouring municipalities like Aras-asan, as well as trawl operators from other provinces like Bohol, used to fish near the present site of the Mahaba sanctuary. LUMOT's persistent enforcement operations, supported by LGU officials, have minimized such incursions into municipal waters around the island.

### Claims on Coastal Lands

Mahaba Island is being claimed by a wealthy investor from the mainland who had made known her plans to make the island a major tourist spot in Hinatuan. The claimant has recently applied for a Foreshore Leasehold Agreement (FLA) with the DENR to strengthen claims on the coastal lands currently settled by PO members and other small-scale fishers in the island. The DENR, however, has disapproved the claimant's application for failure to meet certain technical requirements regarding the size of Mahaba Island's foreshore area. CERD organizers and LUMOT members are monitoring the settlement issue, and have been co-ordinating with government agencies like the Municipal Planning and Development Office (MPDO) and the provincial DENR office. The Hinatuan-wide PO federation, *Nagkahiusang Mangingisda ng Hinatuan* (NAMAHHIN), of which LUMOT is a member, has also taken up the issue and has supported dialogues with concerned agencies and officials to assert the fishers' settlement rights.

PO members interviewed for the study have been living in Mahaba Island for periods ranging from 23 to 36 years. Their points of origin included the neighbouring municipalities of Marihatag and Mangagoy, and the province of Bohol. Some of the earliest inhabitants of Mahaba were believed to have settled in the island as early as the 1940s. Migration into the island continues up to the present day. The most recent migrants arrived in 2003 from *Barangay* Pukto in the interior of Hinatuan. Outward migration is also still happening. LUMOT recently lost some of its members when they decided to migrate to neighbouring coastal *barangays*. New settlers are mostly relatives or friends of old residents, as settling in the island usually involves contacting existing residents and inquiring about available lands. Residents do not have any legal titles to their lands.

The PO members' concept of their claims on coastal lands in Mahaba Island are based on the following: (1) actions undertaken by the community to protect the coastal and marine resources around the island; (2) the PO's position that the island belongs to the State; and, (3) the flimsy and spurious basis of the private claimant's case (questionable land titles and tax declarations). While there has not been much progress in addressing the tenure issue over coastal lands, the sense of settlement security in Mahaba Island has improved among PO members as well as other residents of the island over the years. Some factors that contributed to this development have been the establishment of the organization, the actions it initiated to challenge the private claimant's positions, and the support it has gained from other stakeholders like CERD and the LGUs.

Both CERD and municipal government officials have indicated that there is recognition in Hinatuan of fishers' rights to coastal lands. Apart from exempting areas reserved for the settlement of municipal fisherfolk from the prohibition on the construction of structures on foreshore lands (Article V, Section 24), the issue of fishers' rights to coastal lands, however, has not been expressly addressed in the approved MFO. Municipal government officials claimed having identified coastal areas for fisherfolk settlements in the proposed land-use plans. Identification of such zones were supposedly done in consonance with various infrastructure projects (for example, construction of sea walls) and natural mitigation measures (including mangrove rehabilitation and conservation) to protect the inhabitants from destructive waves during typhoons or other calamities. Most of these initiatives, however, have been implemented in the mainland and have yet to include offshore islands like Mahaba.

### Actions to Support Claims

Residents of Mahaba Island, led by LUMOT with support from CERD and the LGUs (municipal and *barangay*), have been conducting resource management activities and enforcing local fisheries regulations since the PO's formation and the sanctuary's establishment in 1998. The PO has also recently initiated joint actions with other groups to address the fisherfolk settlement issue.

#### Resource Management Activities

LUMOT members have undertaken and attended various capability-building seminars and training since 1998 to deepen their understanding of the coastal environment and CRM. CERD has been assisting LUMOT and other Hinatuan POs under the NAMAHHIN federation in organizing such learning activities

that have also served as opportunities for identifying and tackling pressing issues affecting fisherfolks in Hinatuan. LUMOT members have raised funds and mobilized the island's residents to undertake community actions and projects, including the purchase and installation of marker buoys to delineate the Mahaba sanctuary, construction of a multipurpose hall for community assemblies in the island, establishment and maintenance of guardhouses in the sanctuary, conduct of training orientation for new PO members, and patrolling operations by volunteer fish wardens. The organization has mobilized residents and other concerned groups in reforestation activities that rehabilitated almost 30 ha of mangrove areas in the interior and around Mahaba Island. The PO has also enjoined both members and non-members to participate in its monthly coastal clean-ups.

The PO, with support from CERD and the municipal government, has also initiated community livelihood activities to supplement the incomes of members from fishing, and help sustain resource management efforts. These included mud crab raising, and the offshore rabbitfish and lobster hatchery projects. The organization has started a wholesale-retail scheme with some women members by lending a small amount for capital with no interest. LUMOT gets 80 per cent of its income from the business, while the seller gets 20 per cent as incentive. The PO also runs a daily film show business, collecting Php 6 (US\$0.1) per head, at the multipurpose hall. Future plans of the PO include repairing the sanctuary's markers, constructing a separate 'beta house' (for the film show business), establishment of additional guardhouses around the sanctuary and the mangrove reforestation site, and purchasing additional pumpboats for patrolling operations and members' fishing activities.

As part of its gender mainstreaming efforts, LUMOT has also recently embarked on the delineation of exclusive women's zones or sanctuaries in Mahaba Island to provide a space where women can pursue their own livelihood activities. A portion of the island's mangrove area where women are known to collect shellfish, both for household use and for marketing, has been identified as a possible site for the initial establishment of such zones. This initiative is being undertaken in co-ordination with *Budiong*, a national network of women in fisheries of which NAMAHERIN is a member. LUMOT has also participated in regular monitoring of the island's sanctuary and mangrove areas. This Hinatuan-wide effort was initiated by CERD with support from the Locally Managed Marine Areas (LMMA) network. Yearly fish-stock surveys are conducted by CERD's technical staff, with the help of trained volunteer monitors from the island community. Mangrove monitoring is done every six months.

#### Enforcement of Fisheries Regulations

Municipal government officials in Hinatuan recognize the large role played by POs in the enforcement and implementation of local fisheries regulations. As a result, both the local regulatory agencies and the police have had an easy time in performing their jobs. Mahaba Island is one of the few CBCRM sites in the Philippines that have women as active fish wardens. This owes much to the fact that LUMOT started out in 1998 as a women's group engaged in CRM. Since then, the organization has been diligently patrolling the borders of the Mahaba sanctuary and enforcing local fishery regulations. Despite the entry of men into the organization in 1999 and 2000, women have retained their active roles in its enforcement activities. Non-members have also participated in these activities, joining organized teams of volunteer fish wardens who have been deputized by the municipal government and given the powers to apprehend illegal fishers in Hinatuan Bay.

The approved MFO of Hinatuan mandates the municipal government to provide support to all fisherfolk organizations, particularly in the conduct of enforcement activities. Such support would include incentives to fish wardens equivalent to 25 per cent of the imposed penalties, as well as fuel, lubricants and food, in the conduct of sea-borne patrols (General Provisions, Section 35). According to LUMOT members, the municipal government continues to provide support to local enforcement efforts in the form of motor fuel (30 l per month at the start, down to 10 l per month at present), supplies (including rice, canned goods, etc.), markers and buoys, and construction materials for the guardhouses.

PO members have attested to the effectiveness of its enforcement activities around Mahaba Island by citing the decline in illegal fishing activities and incidences of intrusion by commercial fishers and

non-Hinatuan residents into the surrounding waters. Local fish wardens are proud of the fact that the Mahaba sanctuary is among the few MPAs in Hinatuan Bay that have not been violated by illegal fishers. The community's fish wardens have also successfully apprehended some illegal fishers near the sanctuary and had these violators imprisoned. The Mahaba experience in terms of enforcement of fishery regulations is reflective of other community sanctuaries in Hinatuan Bay. In 2001, three years after the establishment of the marine reserves, a total of 300 illegal fishers were apprehended in the bay. The latest report on apprehensions, covering the period July 2006 to February 2007, cited 70 persons apprehended for violations of local fishing regulations (mostly use of illegal fishing gear). Seven of these arrests were done by PO fish wardens.

#### Addressing the Settlement Issue

LUMOT and NAMAHHIN, in co-ordination with CERD, have already conducted dialogues and negotiations with the local DENR office regarding the coastal lands issue. While most LUMOT members and the island's residents are not inclined to leave Mahaba in the immediate future, some PO and federation leaders do recognize the present vulnerabilities of the community to sea-borne disasters, including the observable rise in sea level. They have thus opened the possibility for resettlement in the long term. There is, however, no clear position yet on this issue. Meanwhile, the PO and federation leaders have been talking to municipal government agencies, including the Office of the Mayor and the MPDO, regarding adequate provisions for fisherfolk settlement and resettlement areas in the LGUs land-use and zoning plans. NAMAHHIN leaders have also been co-ordinating with the NGOs for Fisheries Reform (NFR), in crafting effective policy responses on the issue of fisherfolk settlement in Hinatuan.

According to LUMOT members, the private claimant to Mahaba Island used to demand 1 kg of first-class fish caught by each household (around Php 35 or US\$0.8 then) as rent. PO members and other residents, however, have stopped paying such monthly rent since initiating resource management measures in 1998. The claimant has issued several threats in the past to have the residents removed from the island. The latest deadline given by the claimant for the people to leave their homes and vacate the island was September 2005. On one occasion, the claimant was successful in relocating several residents to other parts of the island. Despite such threats to their claims on lands in Mahaba, the fishers' sense of security has substantially improved through the years with the establishment of the PO and its efforts to address the community's development needs. Apart from its resource management activities, the PO has provided various services to the community, including installation of water pumps, operation of a community generator to provide electricity to residents, and allocation of pumpboats for transporting children to and from the mainland where they go to school. Some PO members have actually invested more in recent years to household improvements and more permanent structures on their lands.

#### Fishers' Rights and Responsibilities

Discussions with LUMOT members and other residents of Mahaba Island highlighted the need to situate fishers' rights and responsibilities within efforts to sustainably manage degraded and overused coastal resources. Most of the fishers' rights identified by the respondents to the case study hinged on the right to manage the community's resources and protect the coastal environment. This is also seen as the fishers' primary role, and thus included also in the list of responsibilities. All of the other responsibilities, in fact, involved actions that served to detail this basic role.

##### Fishers' Rights

###### *Manage the community's coastal resources.*

In the PO members' conception, this right subsumes rights to access and control of resources. Access and control of coastal resources are not in themselves enough to ensure sustainable livelihoods. Fishers should get adequate support in terms of developing their capacities to sustainably manage coastal and marine resources. The right to manage coastal resources is also not only geared towards protecting and sustaining the fishers' main source of livelihoods. There was a clear awareness that

current management efforts would also be benefiting succeeding generations in the form of a healthy and improved coastal environment

*Fishers' settlements*

This would include security of tenure in lands where they are currently residing or where they could resettle. Safety considerations have been recently brought to the fore by threats of tsunamis, earthquakes, and other sea-borne disasters. CERD is thus considering lands that are not necessarily nearshore, but are not too far from the coast either. Priority is also given to lands for housing over other occupationally related purposes (such as drying nets/fish, parking boats, etc.)

*Basic social services.*

These include supply of potable water, waste management facilities, health services, electricity, and education. This right is particularly relevant to the Mahaba Island community as most of such basic services are at present lacking in the area. LUMOT leaders and members have already approached LGU officials, including those in the *barangay*, several times in the past to ask for assistance in addressing problems with these basic services. But no action seems to be forthcoming from the LGUs, which cite the land tenure problem as a major hindrance in providing such services to the Mahaba community.

CERD staff view equitable distribution of fisheries resource as a more encompassing right that includes the rights to manage the resource, have preferential rights over municipal waters, and exclude illegal and commercial fishers. They also add the right to have access to adequate capital, technology and resources for improving livelihoods. This is primarily geared towards providing supplemental sources of income in light of the long recovery periods of coastal and fishery resources after management measures have been put in place.

*Fishers' Responsibilities*

*Protect and sustainably manage coastal resources.*

PO members are particularly conscious of efforts to rehabilitate and manage fisheries and mangrove resources. They are aware, however, that this role extends to other components of the coastal and marine environment, including protection of endangered species that have been put in the watch list of the municipal government and environmental regulatory agencies. This duty also includes rehabilitating degraded ecosystems.

*Help enforce fisheries and other environmental laws.*

This responsibility has been formalized in the approved MFO, which explicitly mandated the municipal government to delegate its powers of regulating use of fisheries resources within municipal waters and enforcing all pertinent laws to the MFARMC, the BFARMCs, registered NGOs and fisherfolk organizations (Article III, Section 4).

*Monitor the state of coastal resources.*

Recent initiatives to monitor existing fish stocks in and around the Mahaba sanctuary, and the state of mangrove resources, have instilled awareness of the importance of such activities among LUMOT members and other island residents.

*Threats to Rights and Responsibilities*

Support from government, particularly the LGUs, is still deemed an important factor in the success of community efforts to manage and protect coastal resources. A decrease in such support with possible changes in administration is thus deemed a significant threat to local resource management efforts. While much has been done in terms of formal recognition of fishers' rights and responsibilities in the approved MFO, the priorities and actual assistance of LGUs will still depend greatly on the perspectives of elected officials. At present, PO members are conscious of the lack of consistency among local officials in terms of their support to local resource management. Some members of the municipal council which passed the MFO, for instance, have even supported local moves to have the sanctuaries dismantled and the use of trammel nets legalized. CERD and the PO federation had to

conduct a municipality-wide information and education drive to counter the detrimental impacts of such actions.

According to PO members, while the community can continue to fulfill its responsibilities *vis-à-vis* the coastal environment, it could do more towards this end if it receives more support from government. Such support is crucial in the areas of enforcing fisheries regulations, contributing resources and expertise in sustaining community members' efforts towards more responsible resource management, and regular monitoring of the coastal environment. Other threats to fishers' rights and responsibilities include all factors that tend to weaken the local organization, like decline in membership due to outward migration. LUMOT is now trying to recruit new members to counter the effects of such loss. Through the PO federation, LUMOT members and fish wardens are also helping in strengthening fishers' organizing in Hinatuan and encouraging neighbouring communities to manage their coastal resources.

### Effectiveness of the Community-based Approach

For LUMOT members, the effectiveness of the community-based approach to CRM lies in its strength in bringing about a sense of empowerment among PO members and other residents in Mahaba Island. A distinguishing mark of the community-based approach, compared to co-management and other CRM approaches, is the emphasis that it places on organizing and capacity-building in the community as the primary stakeholder in resource management. CERD's organizing approach among small fishers in Mahaba and in other *barangays* in Hinatuan emphasized building the PO first as the lead structure in management and protection efforts in light of the perceived existing imbalance in power relations among the different stakeholders. Organizing also stressed the importance of pursuing economic development goals alongside resource management objectives to ensure sustainability of local CRM efforts.

Apart from awareness-raising activities to deepen the understanding of PO members on community and resource management issues, LUMOT and CERD have conducted training and workshops on leadership development, organizational mechanics, resource assessment and management, gender and reproductive health, paralegal work and fishery laws enforcement, and household organizing and management. The PO has also participated in various community-based studies or research towards improving existing resource management practices and identifying appropriate livelihood projects. With benefits from resource management efforts and from PO-initiated services accruing to members and non-members alike, the PO has been able to mobilize other residents of the islands in its activities. The community-based resource management system has halted resource degradation and brought about some increase in fishery resources around the island.<sup>3</sup>

Another significant result of the PO's resource management efforts is the recognition and support it has gained from the local government. The municipal government's Community-based Resource Management Project (CBRMP) funded by the World Bank supported six CRM sites in five *barangays* in Hinatuan. Implemented in close partnership with CERD, the project provided assistance to eight POs in their resource management activities, including the establishment of community marine sanctuaries, provision of buoys and markers, mangrove reforestation, construction of guardhouses for fish wardens, capitalization of livelihood projects (lobster, mud crab, and siganid raising), provision of diving gear and communication equipments, and deputization of fish wardens. The project ran for three years (2001-2004) and is now in its sustainability phase. The Memorandum of Agreement (MoA) between the municipal government and the Department of Finance (DoF) has built-in guarantees for continued LGU support to the project towards long-term sustainability of local CRM efforts.

<sup>3</sup> There is some indication that existing stocks have recovered to the pre-1998 levels, before fishers in the area started noticing sharp declines in fish catch. From 1-2 kilos (Php 100 or US\$2.4) before the establishment of the sanctuary, the catch has now increased to 5-10 kilos (around Php 400 or US\$9.6) per day. From interview with Romynaldo Gomez, Mahaba fisher, 2 March 2007.

POs, including LUMOT, also played a large role in drafting and preparing the MFO. The actual draft ordinance was practically written by the POs in consultation with technical people from CERD. The draft law was then presented to the Municipal Council, which approved it without much revision. The POs were subsequently active in organizing education campaigns and public hearings to gain the public's support on the proposed ordinance. Most of the PO-initiated community sanctuaries were included and formally adopted in the approved ordinance (Article III, Section 7). Apart from outlining the LGU's resource management responsibilities, the MFO also provided for a system of regulating use of coastal areas and other coastal development projects, zoning schemes to facilitate management of municipal waters, and penalties for violations of fishing regulations.

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## CHAPTER 4: CONCLUSION

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Given the popularity of a community-based approach in natural resource management amongst non-governmental and grassroots organizations, several policy advances have been made towards establishing a community-based management regime. Decentralization policies fall short of devolution of powers to communities but it has created spaces for communities to engage with government in managing resources.

The two case studies presented are not representative of the general situation in the Philippines. However, they show how fisherfolk communities struggle to capitalize on the legal spaces provided for them to manage their coastal resources and develop their community. Both studies emphasize that rights and responsibilities go hand in hand. Claiming community rights is strengthened by actions that exemplify community responsibility.

From the case studies, it can be seen that there are different concepts of “communities” among coastal dwellers. These range from characteristics (i.e., geographical residence, fishing gear, users etc) to actions or behaviours (i.e., participation in coastal resources management (CRM), compliance to rules of members). Such differences in concepts of community are evident in the level of emphasis or priorities in enforcement of the rules by community members. For example, both communities have policies that exclude non-residents from municipal fishing grounds. In Cadelaria where a geographically-bound concept of community is prevalent, strict enforcement is observed. In Hinatuan, lenient enforcement on the policy accommodates fisherfolks to either participate in CRM efforts or comply with other more critical policies. Such differences in perspectives are reflective of the different contexts and interests of different development actors in each community.

Despite different concepts of communities, common strategies using the community-based approach are evident in both cases. These include increasing social capital of communities through organizing of grassroots organizations and federations, and making linkages with national-based federations, coalitions or organizations. Capacity development of grassroots organization is critical for communities to claim their rights and to practice their responsibility to manage their coastal resources.

Community-based approach in coastal resource management recognizes that rights and responsibilities of fisherfolk communities go beyond fisheries, or access and control of coastal resources. These rights and responsibilities extend to settlements, basic social services (e.g health, education), and peace and order. This approach pushes coastal resource management as an alternative to the Tragedy of the Commons but as a strategy towards community empowerment and community development.

Instrumental in the extension of areas of concern beyond the realms of fisheries is the participation of women in coastal resource management. From managing marine protected areas to going to court over settlement areas, women’s participation has added value and depth to coastal resource management.

Both cases also show that a community-based approach does not relegate the role of local governments as a mere mandate provider. A community-based approach complements the role of the government to protect these rights. The community-based approach also recognizes that a healthy critical engagement with local government is key to sustaining coastal resource management efforts.



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In preparation for the Workshop and Symposium on “Asserting Rights, Defining Responsibilities: Perspectives from Small-scale Fishing Communities on Coastal and Fisheries Management in Asia”, held in Siem Reap Cambodia, from 3 to 8 May 2007, case studies were undertaken in six countries in Asia—Bangladesh, Cambodia, India, Indonesia, Philippines and Thailand. Among other things, the studies aimed to document and explore the understanding that fishing communities have about their rights to fisheries and coastal resources, as well as the obligations and responsibilities associated with these rights, and to document and discuss their initiatives to assert these rights and fulfill their responsibilities. The studies formed the basis for discussions at the Workshop and Symposium. This case study from the Philippines will be found useful by NGOs, regional and national organizations of artisanal fishworkers, and anyone interested in fisheries and fishing communities in the Philippines.



ICSF is an international NGO working on issues that concern fishworkers the world over. It is in status with the Economic and Social Council of the UN and is on ILO's Special List of Non-Governmental International Organizations. It also has Liaison Status with FAO. As a global network of community organizers, teachers, technicians, researchers and scientists, ICSF's activities encompass monitoring and research, exchange and training, campaigns and action, as well as communications.

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