**001Matrix PHI report of review of major policies and Laws**

TAMBUYOG DEVELOPMENT CENTER, INC

**PHILIPPINES: Compilation and review of major policies and laws governing the small-scale fisheries subsector in the Philippines**

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| LAW / POLICY | PROVISIONS |
| Fisheries Code of 1998 as amended by RA 10654 | * Policy objective to favor the municipal fisherfolk- those persons who are directly or indirectly engaged in municipal fishing and other related fishing activities * protect the rights of fisherfolk and they are given priority in the preferential use of the municipal waters subject to certain limitations; * to provide them support including women and youth sectors, through appropriate technology and research, adequate financial, production, construction of post-harvest facilities, marketing assistance, and other services. * The protection of municipal fisherfolk against foreign intrusion shall extend to offshore fishing grounds * Food security is the primary concern in the management of the fisheries * Fisherfolk settlement -not yet implemented * RA 10654 – improved the rules governing illegal, unreported, unregulated fishing * BFAR AO 197-1: Policy on Aquasilviculture Stewardship Contract * Fisheries Code, as amended does not provide any specific recognition of the role of women in fisheries but recognizes the representation of the women sector in various levels of FARMC, from national down to barangay level |
| Water Code 1976 | Easement Zone – 3 meters in urban areas, 20 meters in agricultural areas, 40 meters in forest areas |
| Local Government Code 1991 | * Policy framework on local autonomy * Local legislation * Access to fishery resources * Law enforcement * Establishment of locally managed Marine Protected Areas (MPAs) * Joint undertaking of LGUs for small-scale fisheries management |
| Indigenous People’s Rights Act (IPRA) (1997) | * Right to self governance and self-determination * IPs rights to ancestral domains including critical natural resources |
| Labor Code 1974, DAO 156-16 | * Department of Labor promulgated through Department Order No. 156-16 the Rules and Regulations Governing the Working and Living Conditions of Fishers on Board Fishing Vessels Engaged in Commercial Fishing Operation * Salient features of the said DO include the terms and conditions of employment of fishers, their compensation scheme, rules on occupational safety and health, provision of social protection benefits, and the implementation of a livelihood and support program. |
| The National Integrated Protected Areas Systems Act of 1992 (NIPAS Law) | * creates a system of protected areas which will be conservation areas where management regimes will be implemented by the local government units * a countermeasure to the continuous depletion of marine resource, among others, due to unsustainable fishing practices |
| Executive Order 263 – Community-Based Forest Management (1995) | Access to forestland under long-term tenurial instruments |
| Agriculture and Fisheries Modernization Act (RA 8435) | * the government aims to empower the fisheries sector so that the same is able to develop and sustain itself * seeks poverty alleviation, social equity, food security, rational use of resources, global competitiveness, sustainable development, people empowerment, and protection from unfair competition * Strategic Agriculture and Fisheries Development Zones (SAFDZ) is the key implementing mechanism of AFMA |
| Executive Order No. 533: Integrated Coastal Management Policy | * mandates among others the mainstreaming of Integrated Coastal Management (ICM) programs into the national and local governments’ planning and socio-economic development programs and allocating adequate financial and human resources for implementation * Inter-LGU collaboration shall be maximized in the conduct of activities related to sustaining the country’s coastal and marine resources |
| Forestry Code | Mangrove forests that protect coastal communities from the destructive force of the sea should be protected |
| Republic Act 9003: Ecological Solid Waste Management Act of 2000  (Also included in 2nd Table below) | * A Philippine law that can help control pollution, which is an important issue in the VGSSF * Ensure protection of public health and the environment * Guidelines and targets for solid waste avoidance and reduction through source reduction, among others. |
| Executive Order 273 – Philippine Plan for Gender-responsive Development 1995-2025 | Mainstreaming gender equity in public programs and policies |
| RA 9710 or the Magna Carta of Women of 2008 | * provides a broad policy framework for the recognition of the rights of women at levels of policy formulation, planning, organization, implementation, management, monitoring, and evaluation of all programs, projects, and services.   (Fisheries Code, as amended does not provide any specific recognition of the role of women in fisheries but recognizes the representation of the women sector in various levels of FARMC, from national down to barangay level)   * Local translation of Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) * Definition of “fisherfolk” (mangingisda) includes fishing related activities done by women, e.g. gleaning |