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SENATE

P.S. Res. No. 491

RECEIVED BY: Per

Introduced by Senator Loren Legarda

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES AND COMMITTEE ON CLIMATE CHANGE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED POACHING THAT RAVAGED 7,000 HECTARES OF SEA BED WITHIN THE MORO GULF AND SULU SEA, WITH THE END IN VIEW OF INTRODUCING REMEDIAL MEASURES TO IMPROVE THE PROTECTION OF MARINE RESOURCES

WHEREAS, Article II, Section 16, of the Constitution provides that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature";

WHEREAS, the Philippine waters is part of the Coral Triangle where about 76% of the world's coral species are found and has the highest diversity of coral reef fishes in the world;

WHEREAS, a square kilometer of healthy corals can support 35 metric tons of live fish;

WHEREAS, of the 27,000 square kilometers of the country's existing corals, only five percent (5%) are in excellent condition;

WHEREAS, persistent increases in temperature in many Philippine regions can cause the slow, irreversible death of our coral reefs;

WHEREAS, approximately 7,000 hectares of sea bed within the Moro Gulf and the Sulu Sea have been reportedly ravaged by poachers where more than 21,000 pieces of black coral were harvested and 161 endangered turtles and other marine life were killed, amounting to about PhP 35 Million;

WHEREAS, Section 91 of Republic Act No. 8550, otherwise known as the *Fisheries Code of 1998*, bans the gathering, possessing, selling or exporting of "ordinary, precious and semi-precious corals, whether raw or in processed form, except for scientific or research purposes";

WHEREAS, Section 97 of the same Act stipulates that it is "unlawful to fish or take rare, threatened or endangered species";

WHEREAS, mandated to implement this Code are the law enforcement officers of the Department of Agriculture, the Philippine Navy, Philippine Coast Guard, Philippine National Police, LGUs and other government enforcement agencies;

WHEREAS, the Fisheries Code of 1998 imposes a maximum fine of Twenty Thousand Pesos (PhP20,000.00) only for persons and entities found guilty of despoiling our fishery resources, a very feeble punishment compared to the irreparable damage caused by poachers to marine biodiversity;

WHEREAS, according to the World Wildlife Fund, "the economic cost over a 25-year period of destroying one kilometer of coral reef is somewhere between \$137,000 and \$1.2 million";

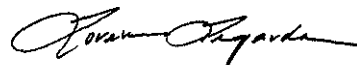
WHEREAS, the fines in Section 91 of the Code have lost their potency and value as deterrent against the illegal exploitation of our coral resources, there is a desperate need to impose stiffer penalties to prevent the illegal trade;

WHEREAS, there is a need to evaluate if the appropriate government agencies have fulfilled their mandate to enforce the Fisheries Code of 1998 and to ensure that marine species are protected to the fullest;

WHEREAS, it is incumbent upon Congress to review the enforcement of the basic law that governs Philippine fisheries;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the Senate Committee on Environment and Natural Resources and Committee on Climate Change to conduct an inquiry, in aid of legislation, on the reported poaching that ravaged 7,000 hectares of sea bed within the Moro Gulf and Sulu Sea, with the end in view of introducing remedial measures to improve the protection of marine resources.

Adopted,



LOREN LEGARDA
Senator