



# IUU Risk Intelligence

Putting Compliance First

## GLOBAL EVALUATION OF FISHERIES MONITORING CONTROL AND SURVEILLANCE IN 84 COUNTRIES

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### PHILIPPINES - COUNTRY REPORT

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IUU RISK INTELLIGENCE

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## SUMMARY

*This evaluation of Fisheries Monitoring Control and Surveillance report for Philippines is one of 84 such country evaluations that covers nations landing 92% of world's fish catch. Using a wide range of interviews and in-country consultations with both military and civilian agencies, the report exemplifies the best attempt by the author(s) at evaluation of MCS compliance using 12 questions derived from international fisheries laws. The twelve questions are divided into two evaluation fields, (MCS Infrastructure and Inspections). Complete details of the methods and results of this global evaluation would be published shortly through IUU Risk Intelligence website.*

*Over a five-year period, this global assessment has been subjected to several cross-checks from both regional and global MCS experts familiar with compliance aspects in the country concerned. Uncertainty in assigning each score is depicted explicitly through score range. However, the author(s) are aware that gaps may remain for some aspects. The lead author remains open to comments, and revisions will be made upon submission of documentary evidence where necessary. Throughout the report, extreme precaution has been taken to maintain confidentiality of individuals who were willing to share information but expressed an inclination to remain anonymous out of concern for their job security, and information from such sources was cited as 'anonymous' throughout the report.*

### **Suggested citation:**

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## PHILIPPINES – COUNTRY REPORT



**FAO landings (2013):** 2,126,634 tonnes

**Fisheries contribution to GDP (2012):** 1.9%

**Law of the Sea (Ratification):** 8<sup>th</sup> May 1984

**Coastline:** 36,289 km

**RFMO Membership:** ICCAT, IOTC, WCPFC

**Patrolling Agencies:** Philippines Coast Guard, Philippine Maritime Police,  
Bureau of Fisheries and Aquatic Resources



| Rank | Priority for maritime security tasks |
|------|--------------------------------------|
| 1.   | Narcotics trafficking                |
| 2.   | Human trafficking                    |
| 3.   | Illegal fishing                      |

## SECTION 1: MCS INFRASTRUCTURE

1. Does the country have adequate surveillance infrastructure (patrol aircraft, sea based patrol vessels and coastal patrols) to effectively patrol fisheries resources within its EEZ?

Score: 4

Score Range: 2-4

Surface and air assets of PCG and BFAR are grossly inadequate for patrolling a vast expanse of 7107 islands and EEZ area of 135,783 km<sup>2</sup> (NIDS 2018; Heydarian 2015; PCG 2011b; Abuza 2012; Yabes 2008; Kraft 2011; Jane 2012; Cole 2012; Cupin 2014; Anon 2014; van Ginkel 2020). PCG has less than 40 ships to monitor the entire EEZ (Ranada 2019). Philippines Coast Guard (PCG) has six offshore patrol vessels (4 *San Juan*; 1 *Balsam class*; 1 *Parola class*); 2 coastal patrol craft (*Tirad class*) and 68 patrol boats (Military Balance 2020).

Philippines National Coast Watch Center (NCWC) has improved the country's capability to monitor its maritime domain. NCWC uses a multifaceted surveillance system that *"integrates the information from sensors, such as the radar and Automated Identification System (AIS) receivers, VHF and HF communications, and radiation detection and identification equipment. This provides an overall view of maritime traffic"* (Rabasa and Chalk 2012; Anon 2015; Calleja 2015). Philippines received four new patrol boats (Two aluminum 30-foot patrol boats with twin 480-hp engines, as well as two 34-foot patrol boats with 600 HP engines) from USA in November 2015 (Parameswaran 2015).

Philippines Coast Guard (PCG) has also acquired three new multirole patrol vessels. In August 2016, PCG received its first multi-role response vessel (MRRV) *"BRP Tubbataha"* from Japan; the vessel is 44 meters in length and has a range of 1500 nautical miles with a top speed of 25 knots. In December 2016, PCG received its second second *Parola-class* multi-role response vessel *"BRP Malabrigo"* (MRRV 4401). On 7 March 2017, PCG received its third *Parola-class* patrol vessel *'BRP Malapascua"* (MRRV 4403) from Japan followed by *BRP Suluan* (MRRV 4406), *BRP Pampanga* (SARV 003), and *BRP Batangas* (SARV 004) later that year (Anon 2017). In 2018, PCG received four *Boracay-class* (OCEA FPB 72 Mk II) 24-metre patrol vessels *BRP Boracay* (FPB 2401), *BRP Panglao* (FPB 2402) *BRP Malamawi* (FPB 2403) and *BRP Kalanggaman* (FPB 2404) from French shipbuilder OCEA (Anon 2018). In April 2020, Philippine Coast Guard (PCG) received a French-built 84-metre offshore patrol vessel *BRP Gabriela Silang* (8301) (Jane 2020). On 11 November 2019, received a 15-meter patrol boat with an x-ray inspection machine from Japanese Government (Anon 2019).

Philippines Coast Guard Rear Adm. Rodolfo Isorena suggests that the country needs 60 patrol vessels, with a minimal of 30 ships to provide any credible deterrence along the maritime boundaries of its EEZ; the country had 15 patrol vessels in 2012 year (Anon 2012e). The Philippine Coast Guard (PCG) has very limited number of patrol vessels to monitor 18,000 km long coastline (Anon 2012a,d; Catedrilla et al., 2012; Sutinen et al., 1992; PCG 2011b). The Bureau of Fisheries and Aquatic Resources also has limited patrolling infrastructure to monitor illegal fishing activities in municipal waters (Guidote 2008). Recent acquisition of 41 coastal patrol boats by Local Government Units could strengthen efforts to control poaching in municipal waters (Dalumpines 2011; Yleana and Velasco 2012; Truno *et al.*, 2008).

**2. Does the country have adequate trained officers to conduct MCS operations?**

Score: 5

Score Range: 3-5

Shortage of trained personnel especially for monitoring fisheries within Municipal and offshore waters in EEZ limits due to funding limitations and low deployment capability. No information is available on compliance or enforcement competence of these authorities in the marine fisheries sector. See Sutinen *et al.*, (1992); Fernandez (2006, 2007, 2009); Angeles (2015); van Ginkel (2020) documents for more information.

BFAR has recently recruited new officers (190 BFAR officers) for fisheries related work but most of these staff is not directly involved in inspections at ports or checking landings in artisanal fisheries where Municipal Governments exert more power. Moreover, the new graduates recruited by BFAR work on temporary contracts. Most of them work for different departments (aquaculture, licensing, vessel registration, etc.) under BFAR with very few engaged in fisheries inspections (Anon, *pers. comm.*, 2017).

**3. Does the country have adequate management plans to monitor their fishing vessels on the high seas?**

Score: 5

Score Range: 3-5

Philippines is not a signatory to the FAO Compliance Agreement. See Flewwelling and Hosch (2007) for more information on relevant aspects. See Barut and Garvilles (2009); Adolf (2019) reports for more information.

At present the country is trying to put up its management plan specifically for tunas (only tunas are assumed to be from the high seas) (Flores, *pers. comm.*, 2012).

Several Fisheries Administrative Orders (FAO) regulations have been drawn by BFAR for management of vessel activities on the high seas and within RFMO waters (e.g. WCPFC high seas pocket), but their effective implementation falls short of expectation in third country waters of Palau and Indonesia where vessels have been detained for fishing without permits on a routine footing. Philippines has a MOU with PNG for its tuna vessels landing catches for PNG canneries, ideally for data sharing and authorization of catch certificates for shipments bound to EU member countries (Anon, *pers.comm.*, 2018).

Philippines tuna vessels have been reported to operate illegally using FADs and pump boats in Indonesian waters for several decades now. Such illegal catches are landed in General Santos and Mindanao. Similar problems are reported with illegal fishing for the high seas fleet operating in Western Central Pacific countries. Foreign tuna longliners (Taiwanese and Japanese) land catches in Davao port where similarly adequate oversight is lacking. Current VMS coverage is low for the industrial fleet operating in Pacific island countries EEZs with very little coverage for vessels operating in IOTC waters; most of the distant-water fleet operates outside the radar with hardly any supervision from BFAR and other Government agencies (Anon, *pers.comm.*, 2017).

**4. What proportion of fishing vessels is equipped with vessel monitoring system (VMS) to monitor their movements on a continuous basis?**

Score: 1.5

Score Range: 1-2

Partial coverage of commercial fishing vessels (Mayuga 2017). All vessels operating in the Indian Ocean, high seas waters of WCPFC (High seas pocket 1) and PIC waters are equipped with VMS transponders (WCPFC 2019). BFAR was planning to install 5000 VMS transponders on commercial fishing vessels by the end of 2019 (PNA 2019b). According to Flewelling and Hosch (2007) skipjack tuna vessels are covered through vessel monitoring system in the industrial fisheries. 414 Philippines flagged vessels were active on the WCPFC fishing vessel register of which 293 fishing vessels fished in 2018 year (WCPFC 2019b).

7 vessels in IOTC, 41 vessels in WCPFC and 9 vessels in the ICCAT convention area are equipped with tracking transponders but monitoring frequency remains low for the high seas fleet (Anon, *pers. comm.*, 2016).

There is limited VMS oversight for Philippine flagged vessels operating within the EEZ too. BFAR operates an FMC for monitoring vessels operating on the high seas Pocket 1 of the WCPFC and there is partial coverage for some Philippines flagged purse seiners and reefers operating in PNG waters. Some vessels are also reported to operate in neighbouring Pacific Island nations through private fisheries partnership agreements, but they are not tracked by BFAR. Out of 7000 fishing vessels roughly 200 are tracked through FMC, which is mostly manned by officials with IT background and noticeable absence of any fisheries officers providing very little value on this expensive investment (Anon, *pers.comm.*, 2017).

**5. What percentage of fishing vessels (>20 m OAL) is monitored through onboard observers at sea (for major commercial fish stocks)?**

Score: 5

Score Range: 3-5

Observer scheme is reported for frigate, yellowfin tuna and sardine fisheries in the artisanal sector (Flewwelling and Hosch 2007; Eisma *et al.*, 2005). 315 observers and 90 trained debriefers are reported for monitoring tuna fisheries in the EEZ and High Seas Pocket 1 of WCPFC waters (WCPFC 2019a). Philippines flagged vessels are reported to fish in RFMO waters of IOTC, WCPFC (HSP1) and Papua New Guinea EEZ.

## SECTION 2: INSPECTIONS

**6. How often fishing vessels are inspected at sea (Identification by sight and boarding for inspections)?**

Score: 2.5

Score Range: 2-4

Low capability. Available information suggests that inspections at sea are inadequate. See Sutinen *et al.*, (1992); Fernandez (2006, 2007, 2009); Santos *et al.*, (2017); Ranada (2019); Bojos and Dickson (2008); Military Balance (2020) reports for more information. See Q.1 for more information on inspections at sea. 4918 sea-based patrol missions were performed for maritime security during the year 2010, with 9309 hours steaming time covering 34,716 miles (PCG 2011). There are five core functions performed by PCG, which include Maritime Safety, Maritime Search and Rescue, Marine Environmental Protection, Maritime Law Enforcement, and Maritime Security. Therefore, the percentage

of total time allocated for fisheries protection and enforcement is assumed one fourth of the total patrol time. BFAR (2011) reports that the 14 patrol vessels covered 18,300 nautical miles conducting 261 field operations and 380 field evaluations to control illegal fishing nationwide. Further, the BFAR-Fisheries Resources Protection and Law Enforcement Unit-Quick Response Team (FRPLEU-QRT) with aid of the Philippine Coast Guard (PCH) conducted a national campaign against illegal fishing to enforce RA 8550, conducting 115 seaborne patrols in different sections of the Philippine archipelago.

Most of the new boats procured for patrolling in provincial waters are scarcely used due to fuel costs and shortage of trained personnel. The huge swaths of island territory in each province with many Municipalities in each of them complicate this setting further, as some municipal waters closer to cities have more revenues while remote island provinces and municipalities have paltry budgets with rarely visible physical presence at sea. It is precisely for the same reason that Chinese vessels conduct poaching on a large scale throughout the year. The occasional busting of Chinese poachers is just a drop in the ocean as far as apprehensions of illegal vessels is concerned. Although the country is bestowed with vast ocean resources, governing large sections of coastline with limited resources is challenging. However, with optimal use of patrolling resources a minimal deterrent could be achieved given fisheries enforcement is organized and community-based management efforts are rewarded when stakeholders of these remote islands are part of the Governance process. Currently, when foreign poachers are reported by fishers rarely few such vessels are detained (Anon, *pers. comm.*, 2017).

## 7. How often fishing vessels are scrutinized through aerial patrols?

Score: 1.5

Score Range: 1-4

Very limited capability (Abuza 2012; Anon 2012d; Strategy-Page 2020; Military Balance 2020). There are two Fokker F-27 aircraft and one BN-2A Defender aircraft for maritime patrols (Anon 2011b; Anon 2012a). Philippines Coast Guard has two Britten-Norman BN-2 Islander aircraft (*PCG-684* and *PCG-251*) for fisheries patrols deployment on a need basis (PNA 2019a). In March 2017, Philippines navy received two Beechcraft King Air TC-90 maritime patrol aircraft on lease from Japan (Wakefield 2017) and three more aircraft were received on 26 March 2017 (Jane's 2018). In June 2017, Japan received two brand-new Cessna-208B Grand Caravan Intelligence, Surveillance and Reconnaissance (ISR) single-engine aircraft from U.S. Government (Reuters 2017). Philippine Air Force (PAF) also uses C-295 aircraft for maritime patrols within the EEZ (Laude 2018). In 2018, Philippines Air Force received one of its

own C-130 cargo planes that was retrofitted into a maritime patrol aircraft with Special Airborne Mission Installation and Response (SABIR) aerial surveillance system supplied by United States Government (Anon 2018).

Most airtime was dedicated to those areas with border issues like the Kalayaan Group of Islands and the Scarborough Shoal and aerial patrols are not intended primarily for fisheries enforcement. Aerial surveillance is not available to monitor foreign fishing fleets operating on other major fishing grounds like Danajon bank and illegal fishing within marine protected areas where poaching by foreign and domestic fleets is rampant.

The more recent estimate from PCG (2011) showed that air patrols were undertaken covering 332 hours and 15 minutes (Total Flying time) with 304 sorties covering 41,508 miles (Total miles covered). The total amount of time allocated for fisheries surveillance from the above figure remains unknown.

**8. How often are fishing vessels inspected at landing centers and docks for foreign and domestic vessels (Dockside monitoring)?**

Score: 4

Score Range: 2-5

Port inspections are not adequate due to low allocation of manpower (Banks and Souter 2011). Philippine laws require most of the foreign fishing vessels to land their catches at designated ports. However, no information is available on the percentage of vessels that are checked by either Customs/BFAR to ascertain legitimacy or traceability of their origin as smaller boats don't have VMS transponders. Foreign fishing vessels are only allowed to unload tuna in Davao port with 226 port calls reported at this port for 2018 year (WCPFC 2019a).

Number of domestic fishing vessels inspected in Municipal fisheries limits also is still low and unreported in national databases. Several pangas operate FADs and catch tuna illegally in Malaysian and Indonesian EEZs and such catches are transported back to Philippine ports for export to foreign markets (Anon, *pers.comm.*, 2019).

See Sutinen *et al.*, (1992); Bojos and Dickson (2008) for more information. Adolf (2019); Anon (2011) reports suggest that there are significant problems in cargo inspection at ports in Philippines. According to Pew (2009) there were five reported visits by two IUU vessels to Philippine ports of Davao and Cebu between 2006 and 2008 ([www.portstateperformance.org/](http://www.portstateperformance.org/)). None reported in recent years.

**9. Are there adequate plans to monitor catches in coastal areas through coastal patrols (beach patrols, small-scale fishing gear and catch inspections) on a regular basis?**

Score: 3.5

Score Range: 2-4

No, plans to monitor catches in coastal waters are not adequate. Local or Municipal Governments manage fisheries resources up to 15 km from the coast while BFAR is in-charge of managing fish resources beyond 15 km up to the EEZ boundaries. Limited success has been achieved in some islands where provincial task force from Bantay Dagat and provincial police occasionally apprehend illegal fishing vessels, but such operations are not widespread or adequate to control rising illegal and destructive fishing practices. Republic Act 10654 of 27 February 2015 amends the Philippine Fisheries Code of 1998 and is the main national legislation for fisheries management in Philippines waters.

However, closed seasons are poorly enforced in coastal fisheries leading to rampant illegal fishing and depletion of fish stocks. Philippines National Police also assist regional governments in enforcing fisheries regulations within Municipal limits by conducting combined operations with other agencies to seize illegal fishing gear, arresting infringing vessels and imposing penalties through courts (Cayubit 2019). Significant illegal fishing is reported with 13,803 commercial vessels detected in Municipal limits between Jan-March 2020 using VIIRS technology (Gomez 2020).

Poaching by domestic and foreign fishing vessels pose a persistent challenge for federal and provincial law enforcement agencies (UNEP 2005; Catedrilla *et al.*, 2012; ELAC 2004; Fernandez 2006, 2007, 2009; Sino-Cruz 2020; Napata *et al.*, 2020). There are widespread reports of destructive fisheries practices (Dynamite & cyanide fishing for aquarium and live reef fish trade) and use of illegal gears in coastal fisheries (Anon 2012c; Wright 1978; Jimenez-David 2007; Dalabajan 2000, 2005; Cervino *et al.*, 2003; Galvez *et al.*, 1998; Russell and Alexander 2000; WWF 2008; Weeks *et al.*, 2010; GEF 2012; Fabinyi 2012; Razon *et al.*, 2012; Tupper *et al.*, 2015; Santos *et al.*, 2017; Sornito 2020). Blasted fish is also regularly sold in local markets (Anon 2012b). In some jurisdictions limited but effective patrolling is reportedly taking place through fishery co-operatives for some inshore reef fisheries (Anon (2009).

**10. Are all the catches that are caught in this jurisdiction at sea accounted for (i.e., unreported Trans-shipments at sea)?**

Score: 2

Score Range: 1-4

No, several illegal transshipments by Philippine vessels are suspected within and outside the EEZ. See Greenpeace (2008); IOTC (2010); Adolf (2019) reports for more information. However, transshipments by foreign fishing vessels are only allowed in Davao port, with 316 such visits reported in 2011 (Barut and Garvilles 2012). Philippines ratified the UN Fish Stocks Agreement on 24 September 2014. Philippines has 111 fish carrier vessels on the WCPFC authorized vessels list. Foreign flagged fishing vessels are not authorised to fish in the Philippines EEZ. Davao and General Santos are the only two fishing ports where transshipments are allowed within stipulated guidelines of PFDA and BFAR.

Philippine tuna vessels stay for prolonged periods at sea and many directly transship their catches to carrier vessels. Virtually none of the transshipments at sea are monitored by BFAR or municipal authorities leading to mis-reporting of catches sourced illegally from other countries. FAD ban is also weakly implemented by Philippine vessels undermining national & WCPFC conservation measures. Government is determined to prevent such activities at sea but doesn't have the necessary resources to monitor vastly spread-out EEZ. Successive low budgets with little leverage over vessel operators has not augured well too. Philippine handline boats frequently enter Malaysian, Palau, PNG, Indonesian waters, operate and even take supplies from local boats in those countries. Some of the illegal handline and pump-boats have been seized and sunk by the Indonesian Government over the past few years. Such catches are often brought back to national ports and destined for overseas high-value markets (Anon, *pers.comm.*, 2017).

**11. Are vessels required to undergo inspection of equipment and fishing gear for every fishing trip?**

Score: 1

Score Range: 1-2

No, there are large gaps in fisheries inspections at landing centres. However, in some zones local Bantay Dagat officials have regularly apprehended and seized illegal fishing gear, score of 1 is suggested. Use of illegal gear is widespread in municipal fisheries (Anon, *pers. comm.*, 2017).

Selgrath *et al.*, (2018) article suggests that use of illegal fishing gears in on the rise since late nineties. Use of illegal gear and destructive fishing practices such as cyanide, dynamite, use of super-lights, compressor diving and sonar are prevalent in all coastal provinces. See Cayubit (2019); Catedrilla *et al.*, (2012); ELAC 2004; Sutinen *et al.*, (1992); Flewwelling and Hosch (2007); Fernandez (2006, 2007, 2009); Bojos and Dickson (2008) for more information.

**12. Has the country taken adequate measures to revise and implement national fisheries laws to curtail illegal fishing practices; and does it comply with national and international laws signed?**

Score: 4

Score Range: 2-4

Republic Act 10654 of 27 February 2015 is the main national legislation for fisheries management in Philippines waters. Philippines adopted NPOA on IUU Fishing through Executive Order No. 154, s. 2013 of 6 December 2013 approving the regulation to fight and end illegal fishing. Philippines Senate has accepted to the accession of FAO Compliance Agreement and ratified the UN Port State Measures Agreement on 26 May 2018. Philippines ratified the UN Fish Stocks Agreement on 24 September 2014. Some locations (e.g. Tanon Strait, northern Cebu) have persistent problems with illegal fishing throughout the year (Anon 2020a).

Recently CCAMLR has written to CITES to report that Philippines (CITES member) has failed to participate in the CCAMLR catch documentation scheme regulating illegal trade of toothfish (TRAFFIC 2016).

Although Philippines updated Fisheries Code and revised several Fisheries Administrative Orders, these laws only go far as being worthy on paper and are rarely enforced effectively in Municipal or wider EEZ limits. Lack of harmonization among BFAR, Coast Guard and Local Governments has impeded fisheries enforcement tasks in several regions. Curtailing illegal fishing practices has been a low-key matter for several years now. Local Municipal Governments are cash strapped, so they have limited resources to prevent illegal fishing. Although Municipal Governments are aware of the extent of illegal fishing practices; Barangay Dagat have managed very few arrests as they lack an effective mandate to restrict activities of illegal fishing operators. Some southern and northern island provinces have limited or no patrols within Municipal limits (Anon, *pers.comm.*, 2017).

See van Ginkel (2020); Stable-Seas (2019); Llanto *et al.*, (2018); De Castro (2016); Angeles (2015); Banks and Souter (2011); Catedrilla *et al.*, (2012); Fabinyi and

Dalabajan (2011); Barclay (2013); Bacalso *et al.*, (2013); Peralta-Milan *et al.*, (2012); Bacalso and Wolff (2014); Palma-Robles (2014); Tupper *et al.*, (2015); White *et al.*, (2006) documents for more information.

|  |    |                    |
|--|----|--------------------|
| <b>Flag of Convenience</b>                   | No | Source: ITF (2015) |
| <b>Vessels on the RFMO - IUU vessel list</b> | No |                    |

| RFMO  | Year of the assessment | Compliant | Partially Compliant | Not Compliant | Source                        |
|-------|------------------------|-----------|---------------------|---------------|-------------------------------|
| ICCAT | 2017                   |           | Yes                 |               | ICCAT (2018)                  |
| IOTC  | 2018                   |           | Yes                 |               | IOTC (2019a);<br>IOTC (2019b) |
| WCPFC | 2018                   | Yes       |                     |               | WCPFC (2019c)                 |

*Last Updated: 18 May 2020*



## **Note:**

Bibliography and other notes relevant to this country report including methods, results and discussion for the global evaluation of 84 countries would be released shortly through IUU Risk Intelligence website (<https://iuriskintelligence.com/>). (The author can be contacted at [pramod.raju@gmail.com](mailto:pramod.raju@gmail.com) to provide any feedback).

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