

[BFAR FISHERIES ADMINISTRATIVE ORDER NO. 223, S. 2003, December 29, 2003]

MORATORIUM ON THE ISSUANCE OF NEW COMMERCIAL FISHING VESSEL AND GEAR LICENSE (CFVGL) AS PART OF A PRECAUTIONARY APPROACH TO FISHERIES MANAGEMENT

WHEREAS, Article 192 of the United Nations Convention on the Law of the Sea, which was ratified by our country in 1984 and which entered into force in 1994, binds the Philippine government to protect and preserve the marine environment;

WHEREAS, Principle 15 of the 1992 Rio Declaration of the United Nations Conference on Environment and Development, Article 6.5 of the Food and Agriculture Organization's Code of Conduct for Responsible Fisheries (CCRF) and other international fisheries instruments prescribe a precautionary approach in the utilization and management of living aquatic resources;

WHEREAS, Article 7.1.8 of the CCRF urges States to take measures to prevent or eliminate overfishing and excess fishing capacity and to ensure that levels of fishing effort are commensurate with the sustainable use of fishery resources;

WHEREAS, the International Plan of Action (IPOA) for the Management of Fishing Capacity recommends that States should make a preliminary assessment and monitoring of fishing capacity and develop appropriate records of fishing vessels;

WHEREAS, the IPOA to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IUU fishing) recommends that States should maintain a record of fishing vessels entitled to fly its flag and should ensure that these do not engage in or support IUU fishing;

WHEREAS, Section 7 of Republic Act 8550 or the Philippine Fisheries Code of 1998 mandates the Department of Agriculture (DA) to issue such number of licenses and permits for the conduct of fishery activities subject to the limits of the Maximum Sustainable Yield of the resource as determined by scientific studies or best available evidence;

WHEREAS, Section 107 of RA 8550 authorizes the DA to issue regulations for the conservation, preservation, management and sustainable development of fishery and aquatic resources;

WHEREFORE, in view of these premises, this guideline temporarily suspending the issuance of new CFVGL intended to facilitate an inventory of licensed and unlicensed commercial fishing vessels and gears is hereby issued for the information and guidance of all concerned.

Section 1. Registration for Inventory. - Prior to the one-year moratorium, the