

The battle of Manila Bay we're winning for small-scale fishers



By Dennis F. Calvan
Rare

At 3 AM, Rodolfo Rodon or Ka Rody, as he is fondly called, and his companions are seen to be preparing for a day's work at sea. They are part of a significant number of residents in North Bay Boulevard in Navotas City who still depend on the bounties of Manila Bay, which is located in the southwest portion of Luzon, one of the major islands of the Philippines. At the break of dawn, I joined their small boat to venture into fishing, where we were equipped with our traditional fishing nets and the meagre breakfast that we shared later while at sea. After 2 hours, we finally arrived in the same spot that Ka Rody has marked in his mind, where they got lucky two weeks ago and brought home a sizable catch that made his wife happy. With the signal from the spotter, we dropped the nets, circled around them and waited. We then hauled up our catch, which is composed of assorted but marketable fish. We did that routine for 8 hours, where we went as far as the waters near the Province of Bataan, which is several kilometers from the Metro Manila. After a day's work, we were able to fill up 4 pails that we sold in a community fish market. We earned a gross income of Php4,300 or approximately US\$83. With 3 fishing crews in a boat, each member got Php630 or approximately US\$13 each. It was not that bad compared to their earnings several years back where illegal fishing such as hulbot hulbot or Danish Seines (DS) and Modified Danish Seines (MDS) were a constant in Manila Bay.

Location:

Navotas City, Manila Bay, Philippines

Ecosystem type:

Marine

Main gear:

Surface gillnet [local name - palutang]

Target species:

slipmouth (sapsap), yellowtail scad (salay salay), hasa hasa (short mackerel)

Vessel type:

Municipal fishing boat of less than 3 gross tons

No. of small-scale fishers:

6,226 registered fisherfolk in Navotas City, according to the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR) Fisherfolk Registration in 2018

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Justice in context

Types of justice:

- **Distributive**
- **Social**
- **Economic**
- Market
- Infrastructure/wellbeing
- Regulatory
- Procedural
- Environmental
- COVID-19 related

In 2018, the Department of Agriculture through the Bureau of Fisheries and Aquatic Resources (DA-BFAR), the primary agency that is tasked to ensure steady supply of fish in the Philippines, recorded a total of 177 hulbot hulbot that are illegally operating in Philippine waters. Based on the Fisheries Administrative Order (FAO) No. 246, which was issued in 2013, hulbot hulbot are prohibited in Philippine waters as they are destructive, when the tom weights they used are attached to the boat are dragged; unsurprisingly, anything that it comes across, especially at the bottom of the sea, is utterly destroyed. The policy was later challenged in the courts by some commercial fishing operators who opposed the regulation because they argued hulbot hulbot operations do not damage coral reefs and soft bottom ecosystems. The DA-BFAR, some fisherfolk representatives and some scientists in the Philippines proved them otherwise. Thus, the Supreme Court issued an order in 2014 in support of the full implementation of its ban.

In response to the clamor of groups of non-government organizations and fisherfolk groups like that of Ka Rody and in line with the Republic Act No. 10654, which amended the Philippine Fisheries Code of 1998, the DA-BFAR further strengthened the power of fishery law enforcers to apprehend hulbot hulbot operators. After a series of consultations, the DA-BFAR issued FAO No. 246-1 in 2016. Now, fishery law enforcers can apprehend fishing boats even by mere possession of hulbot hulbot.

Without the persistent calls of fisherfolk groups like that of Ka Rody, stiff competition between commercial fishers and small-scale fishers would have been intensified with the latter at the losing end because of the highly efficient boat and gears by the commercial fishing sector. Despite the law having recognized the preferential rights of small-scale fisherfolk, which is enshrined under the 1987 Philippine Constitution, the implementation has not been fully enforced. This claim by small-scale fishers has fueled a national clamor to protect their rights to their traditional fishing grounds.

Definition of small-scale fisheries

There is no official definition of small-scale fishers in the Philippines but the Section 4 (64) of Republic Act No. 10654, which amended R.A. No. 8550, defines municipal fisherfolk as persons who are directly or indirectly engaged in municipal fishing and other related fishing activities. Furthermore, Section 4 (65) of R.A. No. 10654 defines municipal fishing as fishing within municipal waters using fishing vessels of three (3) gross tons or less, or fishing not requiring the use of fishing vessels.

” ... Additional recommendations include: alternative employment, credit facilitation, development of marketing monitoring system, giving proper education and training to fisher, strengthening coastal infrastructure to prevent natural hazard, compensating victims, taking adaptation strategies, development of post-cyclone management, and smallholder subsidy arrangements, among others...

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Dealing with justice

The claim by small-scale fishers is exactly what the new Fisheries Code of the Philippines attempted to address. The wicked problem of illegal, unreported and unregulated fishing or IUU and overfishing highlighted the need for social justice for small-scale fishers like Ka Rody. It is the belief that those who have less in life will have more in law what makes Ka Rody hopeful.

This is exactly what motivated our government to amend the 1998 Fisheries Code in 2015. The pressure from international markets, particularly the European Union, was the final nail in the coffin. Due to wide reports of IUU, the EU slapped the Philippines a yellow card in 2014, a stern warning that the country will be prevented from selling its fish produced if IUU and overfishing continue. The EU warning was lifted a year after the government made efforts to address IUU. The stakes were too high that time for fisheries, given its significant contribution to our national economy. Not only will the big exporters and large-scale commercial fishers in the country be affected by this decision — the decision will also affect fishers like Ka Rody. For a rare moment, both small-scale and commercial fishing sectors have agreed on one thing: IUU and overfishing have to end.

Ka Rody and his companions can now benefit from improved fish catch and income from fishing and the achieved social justice as enshrined in our Constitution and national laws. *'Mula nung mawala ang mga hulbot dito at lumakas ang pagpapatupad ng batas, gumanda na ang huli at kita naming mga maliliit na mangingisda* (Since hulbot hulbot were completely prohibited and fishery law enforcement has intensified, our catch and income has gradually improved,' Ka Rody quips as he looked across Manila Bay.



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