WHEREAS, Article XIII, Section 7 of the 1987 Philippine Constitution provides that the State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The State shall also protect, develop, and conserve such resources;

WHEREAS, paragraph (c), Section 2 of Republic Act No. 8550 also known as “The Philippine Fisheries Code of 1998” as amended by Republic Act No. 10654, provides that it is the policy of the State to ensure the rational and sustainable development, management and conservation of the fishery and aquatic resources in Philippine waters including the Exclusive Economic Zone (EEZ) and in the adjacent high seas, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment;

WHEREAS, on January 22, 2020, the Department of Agriculture (DA) has issued Fisheries Administrative Order (FAO) No. 264 which provided the guidelines on catching,
possession, transporting, selling, trading and exporting of mangrove crablets, juvenile
mangrove crabs, and gravid mangrove crabs (Scylla spp.);

WHEREAS, under paragraph (a), Section 4 of the said order, the DA only allows the
catching, possession, transporting, selling and trading of live matchbox size crablets (5cm
Carapace Width) and bigger for local aquaculture intended for grow out purposes;

WHEREAS, the Sorsogon King Crab Raisers Association Incorporated (SKRAI) has
raised their concern on the consequences of the said provision and claimed that its
implementation will negatively affect the livelihood of catchers, consolidators,
small/medium crablet operators and viajeros/traders of crablets lower than the required
size. They also proposed to decrease the minimum required Carapace Width from 5cm to
1.5cm with its corresponding justifications;

WHEREAS, this dilemma is possibly present to all other organizations and
associations engaged in the catching, possession, transporting, selling and trading of
crablets lower than the required size and a policy gap that necessitates appropriate and
immediate government response;

WHEREAS, to reconcile the issues raised on the provisions of FAO 264, it is
imperative for the DA and Bureau of Fisheries and Aquatic Resources (BFAR), in
coordination with concerned agencies and government units, to conduct massive public
consultations, policy review, and make necessary adjustments that shall primarily endeavor
to secure the source of livelihood of fishers engaged in the crab industry, among others;

WHEREAS, it is the responsibility of the State to prioritize the welfare of our fishers
while maintaining ecological balance and sound fishery and aquatic resource management
especially in this time of crisis; Now therefore, be it

RESOLVED AS IT HEREBY RESOLVED, that the Committee on Agriculture and Food of
the House of Representatives conducts an inquiry, in aid of legislation, on the status and
repercussions of implementing Fisheries Administrative Order No. 264 series of 2020
issued by the Department of Agriculture.

Adopted,

REP. ARGEL JOSEPH T. CABATBAT
MAGSASAKA Party-list