

Secretary Michael Defensor
Department of Environment and Natural Resources
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Dear Secretary Defensor,

On the DENR website is a draft Administrative Order allowing the right to special uses of idle, unproductive and degraded areas of the coastal zone by business enterprises. The "coastal zone" is defined as one kilometer inland from the shoreline to 15 kilometers seaward or within the 200-m isobath, i.e., the continental shelf.

This draft A.O. is misguided and should not be approved for the following reasons:

- 1) More transparency and consultation are required with coastal stakeholders – fishing communities and their POs and NGOs, research and academe, and especially the local governments under whose jurisdiction falls the 15-km coastal band of municipal waters, as defined by the Fisheries Code (R.A. 8550). The Code reserves municipal waters for municipal or small-scale fishers.
- 2) Municipal or artisanal fishers are the poorest among the 3 fisheries sectors, contributing only 29% of total 2003 fisheries production vs 40% from aquaculture and 31% from commercial fisheries. Yet they employ 676,000 persons vs less than half (259,000) in aquaculture and less than one-tenth (57,000) in commercial fisheries.
- 3) The business sector already uses wide areas of the coastal zone -- around 230,000 hectares of government and private brackishwater ponds (half of which are converted mangroves) and thousands of fish pens and cages in numerous rivers and bays.
- 4) Seemingly 'idle' and 'unproductive' portions of the coastal zone that have healthy mangroves, seagrass beds, coral reefs are actually very productive with total estimated value of goods and services ranging from US\$23,000 to \$6,000 per hectare per year (Costanza et al. 1997).
- 5) In the case of 'idle' fishponds and 'degraded' mangroves, the solution is not to open them up to business enterprises, but to restore or rehabilitate them back to mangroves. This is purposely mandated by Section 49 of the Fisheries Code.
- 6) Increased production and income from the coastal zone cannot be achieved by opening up the few remaining areas but by:
 - a) enforcing fisheries laws and replacing destructive fishing practices, e.g. blast and cyanide fishing, with more sustainable ones,
 - b) improving and at least doubling pond productivity to 2,000 kg/ha/yr, and
 - c) reducing stocking densities and also the total area of pens, cages within a river or bay to its carrying capacity.

Other studies show that preserving nature assures livelihood and food security for the poor, but placing environmental resources beyond their reach (as in the case of the draft A.O.) will limit the capacity of the poor to improve themselves. Thus granting the business sector 25-year permits to plots of 5-10 hectares or more in the traditional fishing grounds of municipal fishers will push this already marginalized sector beyond the edge of poverty into the abyss of despair, frustration and social unrest.

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15 November 2005