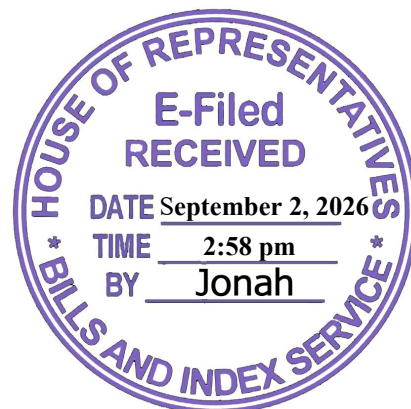




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 11087



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez, and Jude A. Acidre

AN ACT
PROVIDING FOR THE MAGNA CARTA OF MUNICIPAL SMALL-SCALE AND SUBSISTENCE FISHERFOLK, STRENGTHENING THEIR RIGHTS, PROTECTION, AND ACCESS TO SUPPORT SERVICES, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Section 7, Article XIII of the 1987 Constitution guarantees the protection of the rights of subsistence fishermen, especially of local communities, to the preferential use of local marine and fishing resources, both inland and offshore. It further mandates the State to provide support through appropriate technology and research, adequate financial, production, and marketing assistance, and other services; to protect, develop, and conserve such resources; to safeguard offshore fishing grounds against foreign intrusion; and, to ensure that fishworkers receive a just share from their labor in the utilization of marine and fishing resources.

Complementing this mandate, Section 5, Article XIII of the Constitution directs the State to provide support to agriculture and fisheries, while Section 16, Article II guarantees the right of the people to a balanced and healthful ecology, and Section 18, Article II affirms the State's duty to protect the rights of workers and promote their welfare. Taken together, these provisions establish the State's obligation not only to secure the dignity, welfare, and economic resilience of fisherfolk, but also to ensure the sustainability of fisheries resources.

Municipal small-scale and subsistence fisherfolk remain among the most economically vulnerable sectors in the country, despite their indispensable role in ensuring food security, sustaining coastal communities, and supporting local economies. Their contributions extend beyond food production, as they also serve as frontline stewards of marine and coastal ecosystems. However, structural challenges continue to limit their full participation in economic growth and development.

While Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, as amended, recognizes their preferential rights in municipal waters and provides the legal framework for fisheries management, many fisherfolk continue to face persistent and overlapping challenges. These include limited access to markets, inadequate post-harvest and cold storage facilities, exposure to exploitative trading practices, vulnerability to climate change and natural disasters, and increasing operational costs, particularly due to fuel price fluctuations.

Existing government interventions, such as fuel subsidy programs, credit and insurance facilities, and livelihood assistance, have provided some relief. However, these initiatives remain fragmented, unevenly implemented, and often insufficient to address the long-term and systemic needs of the sector. Moreover, the growing role of digital technologies in governance and market systems highlights the need to improve the fisherfolk's access to information, services, and economic opportunities through more integrated and accessible platforms.

This proposed Magna Carta seeks to address these gaps by establishing a comprehensive and integrated policy framework for municipal small-scale and subsistence fisherfolk. It consolidates and reinforces their rights, strengthens access to fisheries support services, promotes fair and equitable market participation, and institutionalizes social protection mechanisms, particularly during emergencies such as natural disasters, fuel price shocks, and other disruptions affecting fisheries operations.

The measure further promotes the adoption and use of digital systems to enhance access to government services, improve data-driven policy implementation, and ensure more efficient delivery of programs. It also strengthens inter-agency coordination and the targeting of beneficiaries through the integration of existing registry systems.

By reinforcing existing laws and addressing implementation gaps, this measure aims to uplift the welfare of fisherfolk, enhance their resilience to economic and environmental shocks, and ensure the sustainable use of marine

resources. Ultimately, it contributes to long-term food security, inclusive economic growth, and the protection of coastal and marine ecosystems.

Similar measures have been filed since the 8th Congress but have remained pending with the Committee on Agriculture and Food, underscoring the continuing need for a comprehensive and responsive policy framework for the sector.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I
GENERAL PROVISIONS

Section 1. *Short Title.* – This Act shall be known as the “*Magna Carta of Municipal Small-Scale and Subsistence Fisherfolk.*”

Section 2. *Declaration of Policy.* – Article XIII, Section 7 of the 1987 Constitution mandates the State to protect the rights of subsistence fishermen, especially of local communities, to the preferential use of local marine and fishing resources, both inland and offshore. It shall provide support through appropriate technology and research, adequate financial, production, and marketing assistance, and other services; protect, develop, and conserve such resources; safeguard offshore fishing grounds against foreign intrusion; and ensure that

fishworkers receive a just share from their labor in the utilization of marine and fishing resources.

Pursuant further to Article XIII, Section 5, and consistent with Article II, Section 16 of the Constitution, the State shall provide support to the fisheries sector while ensuring the sustainable use and conservation of marine and coastal resources.

Consistent with Republic Act No. 8550, otherwise known as the “*Philippine Fisheries Code of 1998*,” as amended, the State shall uphold the preferential rights of municipal fisherfolk in municipal waters and ensure their meaningful participation in fisheries governance and management.

Towards these ends, the State shall recognize, protect, and promote the rights and welfare of municipal small-scale and subsistence fisherfolk as primary contributors to food security, livelihood generation, and coastal resource stewardship.

Section 3. *Definition of Terms.* – For purposes of this Act, the following terms are hereby defined:

- a. Municipal Fisherfolk refers to individuals engaged in fishing and related livelihood activities within municipal waters, as defined under Republic Act No. 8550, as amended.
- b. Subsistence Fisherfolk refers to fisherfolk whose primary purpose of fishing is for household consumption, with limited surplus for trade.
- c. Small-Scale Fisherfolk refers to fisherfolk operating with limited capital, using traditional or labor-intensive fishing methods and small fishing vessels.
- d. Municipal Waters refer to inland and coastal waters within the jurisdiction of local government units, as defined under existing laws.
- e. Fisheries Support Services refers to services including access to credit, insurance, extension services, post-harvest facilities, training, and market linkages.

ARTICLE II RIGHTS OF FISHERFOLK

Section 4. *Right to Preferential Access to Municipal Waters.* – Municipal small-scale and subsistence fisherfolk shall have preferential rights in the use and

management of municipal waters in accordance with Republic Act No. 8550, as amended, and relevant local ordinances.

Section 5. *Right to Livelihood and Economic Security.* – The State shall ensure the protection of fisherfolk from displacement, resource depletion, and economic shocks. In coordination with concerned agencies, the State shall provide appropriate livelihood support, including temporary income or livelihood assistance during closed fishing seasons, natural disasters, and other emergencies, in accordance with existing social protection programs and applicable laws.

Section 6. *Right to Fair Trade and Market Access.* – The State shall promote fair trade practices and ensure that fisherfolk are protected from exploitative pricing and abusive intermediaries. For this purpose, the Department of Agriculture (DA), through the Bureau of Fisheries and Aquatic Resources (BFAR), in coordination with the Department of Trade and Industry (DTI) and local government units, shall facilitate direct market access, improve value chain participation, and strengthen fisherfolk cooperatives.

Section 7. *Right to Credit, Insurance, and Financial Services.* – Municipal small-scale and subsistence fisherfolk shall be ensured access to affordable credit, fisheries insurance, and disaster risk financing through existing government financial institutions and programs, including but not limited to those administered by the Land Bank of the Philippines, the Development Bank of the Philippines, and the Philippine Crop Insurance Corporation, pursuant to existing laws, rules, and regulations.

Section 8. *Right to Social Protection and Basic Services.* – Fisherfolk shall be covered by social protection programs, including health insurance under Republic Act No. 11223, otherwise known as the Universal Health Care Act, social welfare programs under Republic Act No. 11310, otherwise known as the *Pantawid Pamilyang Pilipino* Program (4Ps) Act, and other relevant government initiatives.

Section 9. *Right to Participation in Governance.* – Municipal small-scale and subsistence fisherfolk shall have the right to participate in decision-making processes affecting fisheries resources, including representation in Fisheries and

Aquatic Resources Management Councils (FARMCs), pursuant to Republic Act No. 8550, as amended.

Section 10. *Right to Sustainable Fisheries and Environmental Protection.* – The State shall protect municipal waters from illegal, unreported, and unregulated fishing, environmental degradation, and encroachment by commercial fishing operators and impose corresponding penalties, in accordance with existing fisheries and environmental law.

ARTICLE III

GOVERNMENT SUPPORT AND INSTITUTIONAL MECHANISMS

Section 11. *National Fisherfolk Registry.* – The BFAR shall establish, maintain, and regularly update a unified national fisherfolk registry to ensure proper identification and targeting of beneficiaries of government programs and services.

It shall also coordinate with the Department of Information and Communications Technology (DICT) and other relevant agencies to integrate and maximize existing systems such as the Fisherfolk Registration System (FishR), Boat and Gear Registration (BoatR), and the Registry System for Basic Sectors in Agriculture (RSBSA), for purposes of interoperability and efficient data management.

Section 12. *Fisheries Support Services.* – The State shall strengthen the provision of fisheries support services, including post-harvest facilities, cold storage systems, training, extension services, and climate-resilient fishing technologies, in coordination with relevant agencies and local government units.

The BFAR, in coordination with the DICT and other relevant agencies, shall promote the use of digital systems and platforms to improve access of fisherfolk to government services, information, and market opportunities.

The BFAR, in coordination with the Department of Social Welfare and Development (DSWD) and other relevant agencies, shall ensure that appropriate assistance mechanisms are in place to support fisherfolk during emergencies, including fuel price shocks, natural disasters, and other disruptions affecting fisheries operations, consistent with existing laws and programs.

The BFAR shall further develop and institutionalize sustainable, long-term support programs for fisherfolk, building on existing initiatives.

Section 13. *Infrastructure Development.* – The national government, in coordination with local government units, shall prioritize the establishment and improvement of fisheries infrastructure, including fish ports, landing sites, cold chain facilities, and processing centers, subject to existing infrastructure and development programs.

Section 14. *Inter-Agency Coordination.* – The BFAR shall serve as the lead implementing agency of this Act. It shall coordinate with the DA, DTI, DSWD, Department of Budget and Management, and local government units to ensure the effective implementation of this Act.

ARTICLE IV

PROTECTION, ORGANIZATIONAL DEVELOPMENT, AND ACCESS TO REMEDIES

Section 15. *Protection against Harassment and Illegal Displacement.* – Municipal small-scale and subsistence fisherfolk shall be protected against unlawful eviction, harassment, intimidation, or arbitrary displacement from municipal waters, foreshore areas, and coastal lands traditionally used for their livelihood, subject to existing laws, environmental regulations, and lawful enforcement measures. Concerned national government agencies and LGUs shall ensure that all enforcement actions affecting fisherfolk are conducted in accordance with due process and applicable laws.

Section 16. *Protection against Exploitation.* – The State shall regulate and prevent unfair trade practices, monopolistic control, and exploitative arrangements in the fisheries sector, consistent with existing trade and competition laws.

Section 17. *Strengthened Fisherfolk Organizations.* – The State shall support the formation and strengthening of fisherfolk organizations, associations, and cooperatives through capacity-building, financial assistance, and technical support, in coordination with the Cooperative Development Authority (CDA) and other relevant government agencies.

Section 18. *Legal Assistance and Access to Remedies.* – The State shall facilitate access of municipal small-scale and subsistence fisherfolk to appropriate legal assistance and administrative remedies in cases involving unlawful fishing encroachment, illegal resource exploitation, labor-related abuses, or violations of rights recognized under this Act, subject to existing laws, rules, and regulations.

Section 19. *Capacity-Building and Leadership Development.* – Relevant government agencies, in coordination with local government units, state universities and colleges, and accredited organizations, shall conduct capacity-building, leadership development, and organizational management programs for fisherfolk organizations and cooperatives to strengthen community participation, sustainable fisheries management, and local enterprise development.

ARTICLE V FINAL PROVISIONS

Section 20. *Appropriations.* – The amount necessary to implement this Act shall be included in the annual General Appropriations Act.

Section 21. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the DA, through the BFAR, in coordination with concerned agencies, shall promulgate the necessary rules and regulations.

Section 22. *Separability Clause.* – If any part or provision of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

Section 23. *Repealing Clause.* – All laws, executive orders, issuances, decrees, rules, and regulations inconsistent with or contrary to the provisions of this Act are deemed amended, modified, or repealed accordingly.

Section 24. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,