

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



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SENATE
P. S. R. No. 888

RECEIVED BY: ju

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED ILLEGAL HARVEST AND SHIPMENT OF 39 SACKS OF TRUMPET SHELLS IMPORTED WITHOUT PROPER AND VALID AUTHORIZATION FROM THE BUREAU OF FISHERIES AND AQUATIC RESOURCES

WHEREAS, the Constitution, Article 13, Section 7 provides: "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...The State shall also protect, develop, and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion...";

WHEREAS, Republic Act No. 8550, Section 97 states:

It shall be unlawful to fish or take rare, threatened or endangered species as listed in the CITES and as determined by the Department.

Violation of the provision of this section shall be punished by imprisonment of twelve (12) years to twenty (20) years and/or a fine of One hundred and twenty thousand pesos (P120,000.00) and forfeiture of the catch, and the cancellation of fishing permit;

WHEREAS, Section 17 of the same Act provides: "Endangered Rare and/or Threatened Species - aquatic plants, animals, including some varieties of corals and sea shells in danger of extinction as provided for in existing fishery laws, rules and regulations or in the Protected Areas and Wildlife Bureau of the Department of Environment and Natural Resources (DENR) and in the Convention on the International Trade of Endangered Species of Flora and Fauna (CITES)";

WHEREAS, the *Philippine Daily Inquirer*, in its 26 August 2014 issue, reported that the "Cebu Provincial Anti-Illegal Fishing Task Force (CPAIFTF) confiscated 39 sacks of trumpet shells, locally known as "tambuli," which are considered endangered species;

WHEREAS, the news report alleged that the shells were to be used for lamps and high-end house décor and bound for delivery to a shell craft shop in Mandaue City;

WHEREAS, the report said that the joint operation by the *Bantay Dagat* of San Regemio and Daanbantayan towns of Cebu province was conducted at the Port of Daanbantayan;

WHEREAS, it was also alleged that based on an initial inventory at the Daanbantayan police station, an Isuzu Elf truck was found containing at least 27 sacks of the shells, while another 12 sacks were in a pump boat;

WHEREAS, the news article reported that a certain Loy Madrigal, who heads the Cebu Provincial Anti-Illegal Task Force (CPAIFTF), allegedly told the *Inquirer* that nine crew members of the pump boat were unloading the shells on the truck when they intercepted them;

WHEREAS, the report alleged that according to Madrigal the owner of the pump boat was also the owner of the shell craft shop in Barangay Pagsabungan, Mandaue City;

WHEREAS, according to Madrigal, the CPAIFTF will file the same charges against the owner, who has not shown up since the confiscation, and might also file charges against the owner for employing a minor, who was one of those arrested during the operation;

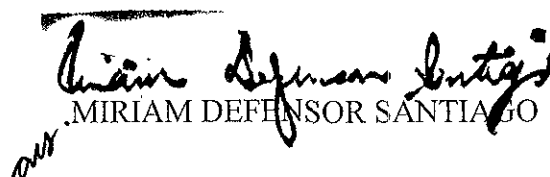
WHEREAS, the illegal harvest and trade of endangered marine resources blatantly disregards the Constitution and other existing laws;

WHEREAS, it is imperative for the Senate to call for an investigation as to why such activities continue to happen despite the watchful eyes of local government officials who are mandated by law to enforce environmental laws;

WHEREAS, the legislature should also determine if whether the local Municipal Fisheries and Aquatic Resources Management Council of the Local Government Unit involved has been efficient in carrying out its duties as mandated by "The Fisheries Code of 1998";

WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the reported illegal harvest and shipment of 39 sacks of trumpet shells imported without proper and valid authorization from the bureau of fisheries and aquatic resources.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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