

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 132

**STRENGTHENING THE CABINET COMMITTEE ON MARITIME AND OCEAN AFFAIRS AND ITS SUPPORTING MECHANISMS, ESTABLISHING ITS TECHNICAL COMMITTEE, AND FOR OTHER PURPOSES**

WHEREAS, the integrated and coordinated administration of the seas and oceans including the delimitation and protection of territorial and maritime jurisdiction of the country is paramount to the national interest and development of the Philippines as an archipelago;

WHEREAS, Article XII, Section 2 of the 1987 Constitution provides that the State shall protect the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens;

WHEREAS, Article II, Section 16 of the same Constitution provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Article XIII, Section 7 of the same 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; provide support to such fishermen through appropriate technology and research, adequate financial, production, and marketing assistance, and other services; protect, develop, and conserve such resources, such protection to extend to offshore fishing grounds of subsistence fishermen against foreign intrusion;

WHEREAS, the Philippines is a signatory or a party to many international agreements on the seas and oceans, principally the United Nations Law of the Sea Convention which entered into force on November 16, 1994, as well as non-binding instruments such as the Rio Declaration and Agenda 21;

WHEREAS, the seas and oceans have in recent history continually increased in importance as the primary source of food, minerals, petroleum and ocean energy, and other resources, as well as the focus of many economic uses such as transportation and tourism;



PJEE Hologram # 6542

WHEREAS, as a result of these many benefits and uses, the seas and oceans are beset with serious challenges such as the degradation of coastal and marine resources, loss of bio-diversity and habitat destruction, pollution, improper waste disposal, and heightened risks from natural and man-made disasters due to imminent environmental degradation;

WHEREAS, the above conditions exist in the immediate environment and surrounding areas of the archipelago necessitating greater need for information exchange and coordination among concerned sectors of the country for the efficient administration and effective exercise of jurisdiction of the Government;

WHEREAS, the Philippines is committed to the principle of sustainable development as one of the major pillars of its economic development plans;

WHEREAS, the National Marine Policy (NMP) adopted on November 8, 1994 was an initial effort to create a framework for integrated and coordinated ocean management, and requires periodic evaluation and refinement in the light of national and international developments;

WHEREAS, there is a need to strengthen the mandate of the Cabinet Committee on Maritime and Ocean Affairs created under Executive Order No. 186, Series of 1994, and to provide it with the appropriate structure, composition, and supporting mechanisms to respond to the demands of the administration and management of the seas and oceans especially those within the territorial and maritime jurisdiction of the Philippines.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested upon me by law, do hereby order:

Section 1. *Declaration of Principles.*- The following are hereby declared to be among the main principles to guide the Government in maritime and ocean affairs, and in the conduct of its foreign policy:

a. In responding to the many challenges and opportunities presented by the archipelagic nature of the country, decisions and actions with respect to national and international maritime and ocean affairs shall be in accordance with a national maritime policy.

b. In the pursuit of sustainable development, the interactions of the terrestrial and marine resource uses in an archipelagic setting shall be recognized, and used as the basis for encouraging all resource users to mutually support and reinforce each other.

H



c. In consideration of international trends and developments in the management of the maritime and ocean sectors, utmost priority shall be given to the development and enhancement of the country's capabilities to control, utilize, protect, manage, and conserve its marine resources.

Sec.2. *The Cabinet Committee on Maritime and Ocean Affairs.*- The Cabinet Committee on Maritime and Ocean Affairs (hereinafter referred to as "CABCOM-MOA") is hereby composed of the following:

Secretary of Foreign Affairs	Chairman
Executive Secretary	Member
Director-General of the National Security Council	Member
Secretary of National Defense	Member
Secretary of Environment and Natural Resources	Member
Secretary of Agriculture	Member
Secretary of Socio-Economic Planning	Member
Secretary of Science and Technology	Member
Secretary of Transportation and Communications	Member
Secretary of Energy	Member
Secretary of Trade and Industry	Member
Secretary of Justice	Member
Secretary of Finance	Member
Secretary of Budget and Management	Member
Secretary of Interior and Local Government	Member
Secretary of Labor and Employment	Member
Secretary of Tourism	Member

The CABCOM-MOA, through the Chairman, may recommend to the President the appointment of additional members drawn from the Cabinet as may be necessary.

Sec. 3. *Functions of the CABCOM-MOA.*- The CABCOM-MOA shall have the following functions:

- a. To formulate and recommend a national maritime policy to the President;
- b. To coordinate the implementation of such policy and periodically evaluate and refine it as necessary;
- c. To identify and develop policy options in implementing international agreements on the oceans, as well as non-binding instruments, to which the Philippines is a party or signatory;



d. To recommend policies, programs, and special projects necessary to advance the national interest and fulfill international commitments relative to the sustainable use of ocean resources and marine environmental protection;

e. To formulate and recommend programs, and special projects to enhance the integrated and coordinated management of the maritime and oceans interests of the Philippines, particularly in:

(1) the protection of the archipelago, including the defense of the national territory, and the development of national capabilities to protect its marine resources;

(2) the protection, conservation, and preservation of the marine environment and ocean resources through the proper management of human activities within its maritime jurisdiction;

(3) the development and promotion of Philippine interests in shipping, seafaring, fishing, extraction of mineral and energy resources, and other ocean-based industries.

f. To formulate programs, coordinate and/or undertake activities to promote the archipelagic consciousness in the country especially among the coastal communities.

The CABCOM-MOA shall meet quarterly, or as the need arises. It may constitute itself into such Sub-committees as may be necessary to respond to special and specific issues or problems, and, to this end, formulate such rules of procedure as may be necessary to perform its functions. The CABCOM-MOA shall submit a quarterly report of its activities to the President.

Sec. 4. *CABCOM-MOA Technical Committee*.- There is hereby created a Technical Committee (hereafter referred to as "TechCom"), consisting of representatives of each of the Members of the CABCOM-MOA.

The TechCom shall have the following functions:

(1) to oversee the implementation of the decisions and policies set by the CABCOM-MOA;



- (2) to formulate and recommend decision, policies, projects and programs with respect to the maritime and ocean affairs of the country, for consideration by the CABCOM-MOA;
- (3) to coordinate the activities of all the concerned agencies in the implementation of international agreements on the maritime and ocean affairs, as well as non-binding instruments, to which the Philippines is a party or signatory;
- (4) to formulate and recommend positions and strategies for maritime boundary delimitation, as well as fisheries and maritime disputes settlement and other international maritime and ocean agreements.

The Chairman may also call on specialists and representatives of the academe, private sector, non-government organizations, and such other government offices or agencies as may be necessary, to assist the CABCOM-MOA in policy and decision making.

*Sec. 5. Maritime and Ocean Affairs Center.*- The Law of the Sea Secretariat created under Executive Order No. 738, Series of 1981, and designated as an attached agency of the Department of Foreign Affairs, pursuant to Section 19, Chapter 6, Title I, Book IV of the Revised Administrative Code of 1987, is hereby renamed, reconstituted and established as the "Maritime and Ocean Affairs Center" hereinafter referred to as the "Center", with the following expanded functions and responsibilities:

- a. Act as the secretariat to the CABCOM-MOA, and provide assistance and administrative support to the Chairman in the management of the CABCOM-MOA and its TechCom;
- b. Assist in the development of national capabilities and human resources for maritime and ocean affairs;
- c. Undertake, or cause to be undertaken, any of the following:
  - (1) consultations with the TechCom or any of its members, any government agency, concerned maritime and ocean sectors, non-government organizations, academe, and/or the general public, on any maritime-related matters as may be deemed necessary;




(2) research programs and policy studies on any and/or all maritime sectors as may be needed by the CABCOM-MOA, including those for regulatory, governmental, strategic, or security purposes;

(3) research, data gathering, information acquisition, and preparations for any negotiation or other modes of dispute settlement with other countries in matters concerning the overlapping of maritime boundaries, fisheries, energy and mineral exploration, and exploitation in the ocean, or other agreements relating to the conservation, exploration, exploitation, protection, development, and/or management of marine resources within the territorial seas and exclusive economic zone as well as areas adjacent to the latter;

d. Create and maintain, or cause to be created and maintained, a central database and information system on maritime and ocean affairs in support of maritime and ocean policy and decision-making;

e. Identify, network with, and mobilize national and/or international expertise and institutions in support of or to assist the Government in maritime and ocean policy and decision making;

f. Undertake, or cause to be undertaken, activities necessary to raise the national archipelagic consciousness and communicate, in a coordinated manner, publicize national maritime and ocean interests and issues;

g. Coordinate the participation of the appropriate agencies of government in international fora, meetings, and conferences that are relevant to the maritime and ocean interests of the Philippines;

h. Render a regular report to the CABCOM-MOA, through its Chairman, on all activities undertaken by the Center.

i. Source out and avail of grants, endowments or donations from foreign or local entities in accordance with existing laws to be applied to projects or studies to implement the policies or directives of the CABCOM-MOA;

The Chairman of the CABCOM-MOA shall appoint the Secretary-General who shall head the Center, and the staff that will provide the technical and administrative support under the supervision of an Executive Director. The Chairman of the CABCOM-MOA is hereby authorized to hire consultants and request the detail and secondment of



*Jan E. Tellez*



personnel from other government agencies and institutions in accordance with Civil Service law, rules and regulations.

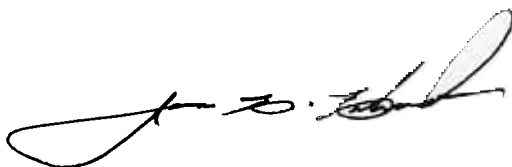
The Center may call on any department, bureau, office or agency of the government, including government-owned and controlled corporations, to actively assist in the performance of its duties and functions.

Sec. 6. *Issuance of Implementing Rules.*- The Secretary of Foreign Affairs, as Chairman of the CABCOM-MOA shall promulgate such rules, regulations and other issuances as may be necessary to ensure the efficient and effective implementation of this Executive Order.

Sec. 7. *Repealing Clause.*- The provisions of Executive Order No. 738 (1981) Establishing the Cabinet Committee on the Treaty on the Law of the Sea; Executive Order No. 328 (1988) Reconstituting the Cabinet Committee on the Law of the Sea; and Executive Order No. 186 (1994) Expanding the Coverage of the Cabinet Committee on the Law of the Sea and Renaming It As the Cabinet Committee on Maritime and Ocean Affairs, that are inconsistent herewith are hereby repealed and superseded.

Sec. 8. *Effectivity.*- This Order shall take effect immediately.

DONE in the City of Manila, this 30<sup>th</sup> day of JULY in the year of our Lord, Nineteen Hundred and Ninety Nine.



By the President:



**RONALDO B. ZAMORA**  
Executive Secretary

**PMS LIBRARY.**

Received

AUG 25 1999 \*

Date

