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**FISHERIES ADMINISTRATIVE**  
**ORDER NO. \_\_\_\_\_**  
**Series of 2022**

**SUBJECT: RULES AND REGULATIONS FOR THE PROTECTION OF SEA TURTLES FROM FISHING OPERATIONS.**

**WHEREAS**, the ecological and cultural significance of sea turtles are universally recognized;

**WHEREAS**, Article 194 (5) of the United Nations Convention on the Law of the Sea (UNCLOS) specifically requires States, in taking measures to prevent, reduce and control pollution of marine environment “shall include those [measures] necessary to protect and preserve rare or fragile ecosystems as well as the habitat of depleted, threatened or endangered species and other form of marine life”;

**WHEREAS**, Article 65 of the UNCLOS also provides that States shall cooperate with a view to the conservation of marine mammals and in the case of cetaceans shall in particular work through the appropriate international organizations for their conservation, management and study;

**WHEREAS**, the FAO Code of Conduct for Responsible Fisheries (CCRF) specifically addresses biodiversity issues and conservation of endangered species and calls for the catch of non-target species, both fish and non-fish species, to be minimized. Article 7.2.2d of the CCRF also calls for the sustainable use of aquatic ecosystems and requires that fishing be conducted with due regard for the environment. The CCRF also promotes the maintenance, safeguarding and conservation of biodiversity by minimizing fisheries impacts on non-target species and the ecosystem in general;

**WHEREAS**, Articles 5(d) and (e) of the Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPO), required to adopt management arrangements for cetaceans as non-target and associated or dependent species, as they are incidentally caught by purse-seine fisheries in the WCPO.

**WHEREAS**, the Philippines is a contracting party of the Convention on the Conservation and Management of High Migratory Fish Stocks in the Western and Central Pacific Ocean and member of the Western and Central Pacific Fisheries Commission (WCPFC) which is the Regional Fisheries Management Organization of the Western and Central Pacific Ocean mandated to manage straddling and highly migratory species, including tropical tunas, billfishes, sharks, marine mammal and sea turtles;

**WHEREAS**, as a party of the Convention and a member of the WCPFC, the Philippines is mandated to observe and implement Conservation and Management Measures (CMM) adopted by the Commission;

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**WHEREAS**, the five marine turtle species in the WCPFC Convention Area are threatened or critically endangered.

**WHEREAS**, the WCPFC adopted CMM 2018-04 on the Conservation and Management of Sea Turtles;

**NOW THEREFORE**, the following provisions of this Order are hereby adopted and implemented:

**SECTION 1. Definition** - The terms used herein shall be construed as follows:

- 1) **CFVL** – Commercial Fishing Vessel/Gear License
- 2) **Endangered species** - refers to the species, subspecies, including the eggs, offspring, parts and derivatives of plants and animals listed in the CITES Appendices.
- 3) **Sea turtle** - any of seven species of marine turtles belonging to the families Dermochelyidae (leatherback sea turtles) and Cheloniidae (green turtles, flatback sea turtles, loggerhead sea turtles, hawksbills, and ridleys);
- 4) **Purse Seine** – a surrounding net used for catching pelagic fishes characterized by a bag or bunt located on one end of the net hauled by puretic power block.
- 5) **Rare Species** - Fishery/aquatic resources with small world populations that are not endangered or vulnerable at present.
- 6) **Ring Net** – a surrounding net used for catching pelagic fishes hauled manually or by winch.
- 7) **Threatened species** - A general term which may be used to describe a fishery or aquatic species the population of which is endangered, vulnerable or rare.

**SECTION 2. Prohibitions**

All Philippine flagged vessels operating in Philippine waters, high seas or in waters of other coastal states, are hereby prohibited from the following acts:

- 1) It shall be unlawful for any person, natural or juridical, to take or catch or cause to be taken or caught any species of sea turtles.
- 2) Retaining on board, transshipping, storing on a fishing vessel, or landing any sea turtles.

85 **SECTION 3. Guidelines to Reduce Sea Turtle Mortality in Fishing Operations**

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87 All fishing vessels as appropriate shall follow the FAO Guidelines to Reduce Sea Turtle  
88 Mortality in Fishing Operations<sup>1</sup> and ensure the safe handling of all captured sea turtles,  
89 in order to improve their survival.

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91 **Purse Seine and Ringnet Vessels**

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- 93 1) To the extent practicable, avoid encirclement of sea turtles, and if a sea turtle  
94 is encircled or entangled, take practicable measures to safely release the turtle.  
95 2) To the extent practicable, release all sea turtles observed entangled in fish  
96 aggregating devices (FADs) or other fishing gear.  
97 3) If a sea turtle is entangled in the net, stop net roll as soon as the turtle comes out  
98 of the water; disentangle the turtle without injuring it before resuming the net roll;  
99 and to the extent practicable, assist the recovery of the turtle before returning it  
100 to the water.

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102 **Longline Vessels**

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104 Longline vessels shall carry and use line cutters and de-hookers to handle and promptly  
105 release sea turtles caught or entangled, and that they do so in accordance with WCPFC  
106 guidelines.

107

- 108 1) Employ or implement at least one of the following three methods to mitigate the  
109 capture of sea turtles:  
110 a. Use only large circle hooks, which are fishing hooks that are generally  
111 circular or oval in shape and originally designed and manufactured so that  
112 the point is turned perpendicularly back to the shank. These hooks shall  
113 have an offset not to exceed 10 degrees.  
114 b. Use only finfish for bait.  
115 c. Use any other measure, mitigation plan or activity that has been reviewed  
116 by the Scientific Committee (SC) and the Technical and Compliance  
117 Committee (TCC) and approved by the Commission to be capable of  
118 reducing the interaction rate (observed numbers per hooks fished) of  
119 turtles in shallow-set longline fisheries.

120

121 **Other Fisheries**

122

- 123 1) Turtle excluder devices for trawl fisheries  
124 2) Lower-profile (narrower), stiffer nets for gillnets  
125 3) Deeper setting for surface gillnet fisheries  
126 4) Use longer tie-downs or avoid their use in demersal gillnets  
127 5) Avoid exceeding a maximum threshold for mesh size of gillnets  
128 6) Setting nets perpendicular to the shore to reduce interactions with  
129 nesting females  
130 7) Smaller mesh size and increasing net stiffness for pound nets/traps

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<sup>1</sup> <https://www.fao.org/publications/card/en/c/525d1262-f0ae-5270-bd6e-ac4ab03bbaf9/>

131 **Section 4: Incident handling and reporting**

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133 In case that a sea turtle is unintentionally encircled or caught by any of the fishing gear,  
134 the vessel Captain or Masterfisher of the fishing vessel shall do as appropriate the  
135 following measures in Attachment 1 in accordance with the WCPFC Guideline for the  
136 Handling of Sea Turtles. The vessel where appropriate, shall also be required to carry  
137 and use dip-nets in accordance with the WCPFC guidelines.

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139 Fishing vessel shall also record all incidents involving sea turtles during fishing  
140 operations and report such incidents to BFAR including details of the species (if known)  
141 and number of individuals, location and date of such encirclement, steps taken to ensure  
142 safe release, and an assessment of the life status of the animal on release (including, if  
143 possible, whether the animal was released alive but subsequently died). Such incident  
144 must be reported in the appropriate data field of the logsheet and captain  
145 statement/report to provide more information and photos if available.

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147 **Section 5. Penalties**

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149 1) Pursuant to Section 102 of RA 8550 as amended by RA 10654, violation of any of  
150 the prohibited acts in Section 2 shall penalize the offender with a fine equivalent  
151 to five times (5) times the value of the species or Five hundred thousand pesos  
152 (P500,000.00) to Five million pesos (P5,000,000.00), whichever is higher, and  
153 forfeiture of the species.

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155 Upon conviction by a court of law, the offender shall be punished by imprisonment  
156 of twelve (12) years and one (1) day to twenty (20) years and a fine equivalent to  
157 twice the administrative fine, forfeiture of the species and the cancellation of  
158 fishing permit.

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160 2) Non-compliance to Section 4, para (1) or para (2) shall subject the Captain or  
161 Masterfisherman of a vessel to a fine of One hundred thousand pesos (Php  
162 100,000.00) to Three hundred thousand pesos (Php 300,000.00) for small-scale  
163 commercial fishing, Four hundred thousand pesos (Php 400,000.00) to Seven  
164 hundred thousand pesos (Php 700,000.00) for medium-scale commercial fishing,  
165 and Eight hundred thousand pesos (Php 800,000.00) to One million pesos (Php  
166 1,000,000.00) for large-scale commercial fishing.

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168 3) The minimum fine shall be imposed for the first-time offenders. However, BFAR  
169 may impose the maximum fine for the fishing company who violated for the  
170 fourth time, including confiscation of catch and cancellation of CFVL.

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172 **Section 5. Effectivity.** This Order shall take effect fifteen (15) days after the publication  
173 in the Official Gazette and/or in two (2) newspapers of general circulation and upon  
174 registration with the National Administrative Register.

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176 ISSUED this \_\_\_ day of \_\_\_, 2022 at Quezon City, Metro Manila, Philippines

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180 **H. E. FERDINAND R. MARCOS JR.**

181 Secretary

182 Department of Agriculture

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185 Recommending Approval:

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189 **ATTY. DEMOSTHENES R. ESCOTO**

190 Officer-in-Charge

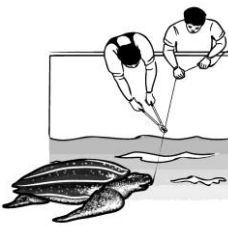
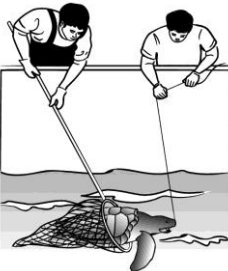
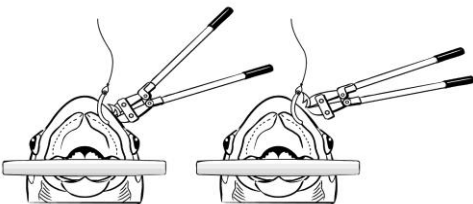


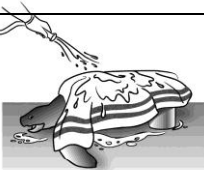


191 Bureau of Fisheries and Aquatic Resource

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Attachment 1

# WCPFC Guidelines for the Handling of Sea Turtles

If a turtle is caught, the following steps should be taken to give it the best possible chance of survival. Operators of longline fishing vessels should follow Steps A to E if a sea turtle becomes hooked, and Steps A, C, D and E if it is entangled. If a sea turtle becomes entangled in a purse seine net, then operators should stop net roll as soon as the turtle comes out of the water, disentangle the turtle without injuring it and before resuming the net roll, then follow Steps A, C, D and E.

<b>A</b>	<b>Assess the turtle's size: release the turtle if it is too big to handle safely, otherwise bring it on board without damaging it further</b>	
	<p>If the turtle is too large to bring on board, stop the vessel and bring the turtle as close to the boat as possible without putting too much strain on the line. This is especially important if the turtle is hooked rather than entangled. Cut the line as close to the hook as practical and remove tangled line from before the turtle swims away.</p>	 <p>If the turtle is small then ideally use a dip net to lift the turtle on board. When bringing the animal on board, do not damage it further by lifting it using the hooked line or gaffing its body.</p>
<b>B</b>	<b>Once the turtle is on board, place a piece of wood in the turtle's mouth so it cannot bite, then cut the hook or line</b>	
	<p>If the hook is in the mouth, use a de-hooker to remove the hook from the turtle.</p>	 <p>If the insertion point of the hook is not visible, remove as much line as possible without pulling too hard on the hook itself, and cut the line as close to the hook as practical.</p>
<b>C</b>	<b>Assess the condition of the turtle before releasing it. When the turtle has recovered its strength, gently and promptly release it to the water. Resuscitation treatments may be applied to animals in bad condition.</b>	
	<p>If the turtle is sluggish or not active when lifted on board, it may have water in its lungs. In this case the rear flippers should be raised about 20cm off the deck while it is recovering.</p>	 <p>If practicable, place the turtle in a secure shaded location of the boat and cover its body with wet towels. Do not spray the turtle in the face with water or cover its nostrils with the towel.</p>
<b>D</b>	<b>Carefully return the turtle to the water</b>	
<p>Gently put the turtle in the water head first, after slowing down or stopping the fishing vessel. Ensure that the turtle is clear of the vessel before motoring off.</p>		
<b>E</b>	<b>Record the interaction in your logbook and inform your fisheries department</b>	
<p>Identify and record the turtle species, if possible, and record any tag numbers.</p>		

## HANDLING OF TURTLES ENTANGLED BY LONGLINE GEAR

The point of this guidance is to encourage removal of as much line as possible before the turtle is free to swim away.

Visually assess whether the turtle is **hooked or entangled**. If it is entangled then the following steps should be followed, depending on whether the turtle is **dead or alive**. Note that it may be difficult to tell if the turtle is dead or alive when it is still in the water.

**(1) Turtle looks dead and is too big to bring onboard:**

If the turtle is too **big** to bring onboard, cut loose as much of the tangled lines as possible using a line cutter.

**(2) Turtle is alive but too big to bring onboard:**

Visually assess if the turtle is:

A) Entangled only: use the line cutter to cut off the tangled lines in the water.

B) Entangled and hooked externally: remove the hook if possible and then use the line cutter to cut off the tangled lines in the water.

C) Entangled and hooked internally: follow the established procedure for

handling a hooked turtle. D) Entangled turtle (heavily entangled): a gaff may

be used to restrain the turtle by the tangled lines. Use the line cutter to cut off the tangled lines in the water, taking care not to cut the lines that are used to control the turtle before other lines have been cut and removed. More than one person may be required to assist, in order to prevent the turtle swimming away while still tangled.

**(3) Turtle is small enough to be brought onboard:**

If the turtle is **alive** then established guidelines should be applied (comatose handling, revival, and release). If it is **dead**, it should be brought on board to be measured and identified.