



Republic of the Philippines  
**OFFICE OF THE SECRETARY**  
Elliptical Road, Diliman  
1100 Quezon City

## **FISHERIES ADMINISTRATIVE ORDER**

No. \_\_\_\_\_  
Series of 2023

**SUBJECT: Amendment of Fisheries Administrative Order No. 208 for the Conservation and Protection of Endangered, Rare, and Threatened, Aquatic Wildlife Species**

*WHEREAS*, according to the United Nations reports, through the overwhelming evidence presented by the Intergovernmental Science-Policy Platform on biodiversity and Ecosystem Services (IPBES), our nature is diminishing globally at rates unprecedented in human history and species extinction rate is accelerating that contributes to drastic impacts on world population;

*WHEREAS*, the Philippine aquatic wildlife fauna and flora and their habitats are not only important constituent elements of ecosystems but are essential for enriching the lives of human beings as an important part of the natural environment that deserve protection under the national laws;

*WHEREAS*, Republic Act No. 8550, as amended by Republic Act No. 10654, otherwise known as “The Philippine Fisheries Code”, reiterates the compliance to the existing Philippine treaty obligations concerning aquatic wildlife under multilateral agreements, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the Convention on Biological Diversity (CBD), the Convention on Migratory Species (CMS), and International Union for Conservation of Nature (IUCN);

*WHEREAS*, Rule 11.1 of the Implementing Rules and Regulations and Section 102 of R.A. No. 10654 requires the DA-BFAR to update the list of rare, endangered, and threatened aquatic species, and prohibits the fish or take, catch, gather, sell, purchase, possess, transport, export, forward or ship out of live/dead, parts, and by-products and derivatives of CITES-listed aquatic species, respectively;

*WHEREAS*, Republic Act No. 9147, otherwise known as “The Wildlife Resources Conservation and Protection Act” is the primary piece of legislation relative to wildlife. The Wildlife Act is a law on wildlife resource and biodiversity conservation, protection, and use. This Act ensures the continued existence of the Philippine aquatic wildlife by prescribing measures to regulate human activities that directly affect wildlife and to promote ecological balance and enhance biological diversity;

*WHEREFORE*, pursuant to the Wildlife Act and the Philippine Fisheries Code, this Order amending the rules and regulations for the conservation and protection of endangered, rare, and threatened aquatic species is hereby issued for the information and guidance of all concerned.

**SECTION 1. Coverage.** This Order shall cover all endangered, rare, and threatened aquatic species, including species CITES.

**SECTION 2. Definition of Terms.** As used in this Order, the following terms shall be construed as:

- a. *"Aquatic wildlife"* refers to wildlife living in aquatic environment including microbial species, its by-products and derivatives and those in captivity or are being bred or farmed;
- b. *"By-product or derivative"* refers to any part taken or substance extracted from aquatic wildlife, such as but not limited to bioactive compounds/molecules and genetic material whether raw or in processed form;
- c. *"Captive-bred species"* refers to individuals produced under controlled conditions or with human interventions;
- d. *"CBD"* refers to the Convention on Biological Diversity. A legally binding instrument of which the Philippines is a party, conceived as a practical tool to translate the sustainable development principles of Agenda 21 for the conservation of biological diversity, sustainable use of its components and equitable sharing of benefits arising from the use of genetic resources;
- e. *"CITES"* refers to the Convention on the International Trade in Endangered Species of Wild Fauna and Flora. It is an international convention, which the Philippines is a party, that combines wildlife and trade themes with a legally binding instrument for achieving conservation and sustainable use of wildlife resources;
- f. *"CITES Appendices"* refers to Appendix I, II, and III to the Convention which are lists of species afforded different levels or types of protection from over-exploitation;
- g. *"CMS or Bonn Convention"* refers to the Convention on the Conservation of Migratory Species of Wild Animals. It is an environment treaty of the United Nations that provides a global platform for the conservation and sustainable use of terrestrial. Aquatic and avian migratory animals and their habitats, which the Philippines is a party;
- h. *"Endangered, Rare, and Threatened Species"* refers to aquatic animals and plants, including some varieties of corals and sea shells in danger of extinction as provided 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 of the International Trade of Endangered Species of Flora and Fauna (CITES);
- i. *"Exportation"* refers to the act of bringing aquatic wildlife, its by-products or derivatives out of the country;

- j. *"Importation"* refers to the act of bringing wildlife, by-products or derivatives into the country;
- k. *"IUCN"* refers to the International Union for the Conservation of Nature. It is a diverse environmental network composed of both government and civil society organizations that provides global authority on the status of the natural world and the measures needed to safeguard it.

**SECTION 3. Importation exemption on CITES-listed species.** The importation of CITES-listed species shall be governed by Sections 31 and 33 of Fisheries Administrative Order No. 233, Series of 2010.

**SECTION 4. Prohibitions and Penalties.** It shall be unlawful for any person, natural or juridical, to fish or take, catch, gather, sell, purchase, possess, transport, export, forward or ship out of live/dead, parts, and by-products and derivatives of aquatic species listed herewith and referred herein as **"Annex A"**:

(a) It shall be unlawful to fish or take, catch, gather, sell, purchase, possess, transport, export, forward or ship out aquatic species listed in Appendix I of the Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES), or those categorized by the International Union for Conservation of Nature and Natural Resources (IUCN) as threatened and determined by the Department as such.

Upon a summary finding of administrative liability, the Department shall penalize the offender with a fine equivalent to five times (5) times the value of the species or Five hundred thousand pesos (P500,000.00) to Five million pesos (P5,000,000.00), whichever is higher, and forfeiture of the species.

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

(b) It shall be unlawful to fish or take, catch, gather, sell, purchase, possess, transport, export, forward or ship out aquatic species listed in Appendix I of the Convention on the International Trade in Endangered Species of Wild Flora and Fauna (CITES), or those categorized by the International Union for the Conservation of Nature and Natural Resources (IUCN) as threatened and determined by the Department as such.

Upon a summary finding of administrative liability, the Department shall penalize the offender with a fine equivalent to three (3) times the value of the species or Three hundred thousand pesos (P300,000.00) to Three million pesos (P3,000,000.00), whichever is higher, and forfeiture of the species.

Upon conviction by a court of law, the offender shall be punished by imprisonment of five (5) to eight (8) years and a fine equivalent to twice the administrative fine and forfeiture of the species.

(c) It shall be unlawful to gather, take, possess, transport, or export, forward or ship out captive-bred species that have been transplanted to the wild.

Upon a summary finding of administrative liability, the offender shall be penalized with a fine equivalent to three (3) times the value of the species or Three hundred thousand pesos (P300,000.00) to Three million pesos (P3,000,000.00), whichever is higher, and forfeiture of the species.

Upon conviction by a court of law, the offender shall be punished by imprisonment of five (5) to eight (8) years, a fine equivalent to three (3) times the value of the species or Three million pesos (P3,000,000.00), whichever is higher, and forfeiture of the species.

Should the violation be committed by a vessel manned by more than two (2) persons, the captain, master, and two highest ranking officers of the vessel involved in the fishing or taking of such protected marine life shall be presumed to have committed the prohibited act.”

**SECTION 5. Repeal.** – All issuances, orders, rules and regulations or parts thereof which are inconsistent with this Order are hereby repealed or modified accordingly.

**SECTION 6. Effectivity.** – This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or two (2) newspapers of general circulation and fifteen (15) days after its registration with the Office of the National Administrative Register.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2023 at Quezon City, Metro Manila, Philippines.

**DOMINGO F. PANGANIBAN**  
*Senior Undersecretary*

Recommended by:

**ATTY. DEMOSTHENES R. ESCOTO**  
*Director*

**DRUSILA ESTHER E. BAYATE**  
*Undersecretary for Fisheries*

## ANNEX A. LIST OF ENDANGERED, RARE, AND THREATENED SPECIES

### A. ENDANGERED SPECIES (CITES-LISTED)

#### A.1. Clams, Leeches, Mussels

Scientific Name	Common Name	CITES Appendix No.
<i>Aliger gigas</i>	Queen Conch, Pink Conch	II
Family Nautilidae	Nautilus, Chambered Nautilus	II
Family Tridacnidae	Giant clams	II

#### A.2. Corals

Scientific Name	Common Name	CITES Appendix No.
Family Helioporidae	Blue corals	II
Family Milleporidae	Fire corals	II
Family Stylasteridae	Lace corals	II
Family Tubiporidae	Organ-pipe corals	II
Order Antipatharia	Black corals	II
Order Scleractinia	Stony corals, Hard corals	II
<i>Pleurocorallium elatius</i>	Red and pink corals	III (China)

#### A.3. Dolphins, Porpoises, and Whales

Scientific Name	Common Name	CITES Appendix No.
<i>Balaenoptera edeni</i>	Bryde's whale	I
<i>Balaenoptera musculus</i>	Blue whale	I
<i>Balaenoptera omurai</i>	Omura's whale	I
<i>Megaptera novaeangliae</i>	Humpback whale	I
<i>Orcaella brevirostris</i>	Irrawaddy dolphin	I
<i>Physeter macrocephalus</i>	Sperm whale	I
Order Cetacea	Dolphins, Porpoises, Whales	II (Except the species included in Appendix I)

#### A.4. Fishes

Scientific Name	English Name	CITES Appendix No.
<i>Scleropages formosus</i>	Asian arowana	I
<i>Arapaima gigas</i>	Arapaima, Pirarucu	II
<i>Cheilinus undulatus</i>	Napoleon wrasse, Humphead wrasse	II
<i>Hippocampus spp.</i>	Seahorses	II

#### A.5. Guitarfishes, Sawfishes, and Wedgefishes

Scientific Name	Common Name	CITES Appendix No.
<i>Pristidae spp.</i>	Saw fishes	II
<i>Rhinidae spp.</i>	Wedgefishes	II
<i>Rhinobatidae spp.</i>	Guitarfishes	II

#### A.6. Mobulids and Freshwater Stingrays

Scientific Name	Common Name	CITES Appendix No.
<i>Mobula spp.</i>	Devil rays	II

#### A.7. Sea, and water snakes

Scientific Name	Common Name	CITES Appendix No.
<i>Cerberus rhynchops</i>	South Asian Bockadam, Bockadam Snake, Dog-faced Water Snake, New Guinea Bockadam	III (India)

#### A.8. Sea Cucumbers and Teatfishes

Scientific Name	Common Name	CITES Appendix No.
<i>Holothuria fuscogilva</i>	White teatfish or white teeth	II
<i>Holothuria nobilis</i>	Black teatfish	II
<i>Holothuria whitmaei</i>	Black teatfish	II

<i>*Thelanota ananas</i>	Prickly redfish, pineapple sea cucumber	II
<i>*Thelanota anax</i>	Amberfish, giant sea cucumber, giant beche-de-mer	II
<i>*Thelanota rubralineata</i>	Red-lined sea cucumber, lemonfish, candy cane sea cucumber	II

\*Entry into effect delayed by 18 months, i.e. until 25 May 2024

## A.9. Sharks

Scientific Name	Common Name	CITES Appendix No.
<i>Alopias spp.</i>	Thresher sharks	II
<i>**Carcharhinidae spp.</i>	Requiem sharks	II
<i>Carcharhinus falciformis (-)</i>	Silky shark	II
<i>Carcharhinus longimanus (-)</i>	Oceanic Whitetip Shark, White-tipped Shark, Whitetip Oceanic Shark, Whitetip Shark	II
<i>Carcharodon carcharias</i>	White Shark, Great White Shark	II
<i>Cetorhinus maximus</i>	Basking Sharks	II
<i>Isurus oxyrinchus</i>	Shortfin mako shark	II
<i>Isurus paucus</i>	Longfin mako shark	II
<i>Lamna nasus</i>	Porbeagle shark	II
<i>Rhincodon typus</i>	Whale shark	II
<i>Sphyrnidae spp.</i>	Hammerhead sharks	II

\*\*Entry into effect delayed by 12 months, i.e. until 25 November 2023

(-) To be deleted on 25 November 2023

## B. RARE SPECIES

### B.1. Bivalves

Scientific Name	Common Name
<i>Dentamussium oblitteratum</i>	Smudged moon scallop
<i>Eufistulana mumia</i>	Club-shaped boring clam

### B.2. Gastropods

Scientific Name	Common Name
<i>Bolma girgyllus</i>	Girgyllus star shell
<i>Callistocypraea aurantium</i>	Golden cowrie

<i>Callistocypraea leucodon</i>	White toothed cowrie
<i>Clypeomorus adunca</i>	Bent cerith
<i>Cypraeacassis rufa</i>	Bullmouth helmet
<i>Ipsa children</i>	Children's cowrie
<i>Leporicypraea valentia</i>	Prince cowrie
<i>Malluvium lissus</i>	Deep sea cap
<i>Morum grande</i>	Giant morum
<i>Morum kurzi</i>	Kurzi's morum
<i>Morum watsoni</i>	Watson's morum
<i>Naria beckii</i>	Beck's cowrie
<i>Nesiocypraea teramachii</i>	Teramachi's cowrie
<i>Palmulacypraea katsuae</i>	Katsue's cowrie
<i>Palmadusta saulae</i>	Saul's cowrie
<i>Perisserosa guttata</i>	Great spotted cowrie
<i>Phenacovolva dancei</i>	Dance volva
<i>Ransoniella martini</i>	Martini's cowrie
<i>Raybaudia porter</i>	Porter's cowrie
<i>Recluzia lutea</i>	Recluzia snail
<i>Semicassis glabrata</i>	Smooth bonnet
<i>Separatista separatist</i>	True separatista
<i>Tenuitibia martini</i>	Marini's tibia
<i>Varicospira crispate</i>	Network beak shell

## C. THREATENED SPECIES

### C.1. Crabs

Scientific Name	Common Name
<i>Birgus latro</i>	Coconut crab
<i>Cassis cornuta</i>	Horned helmet
<i>Charonia tritonis</i>	Trumpet shell

### C.2. Gastropods

Scientific Name	Common Name
<i>Barnea manilensis</i>	Angel wing shell
<i>Rochia nilotica</i>	Smooth top shell
<i>Turbo marmoratus</i>	Green snail