

Republic of the Philippines  
Congress of the Philippines

Senate

Manila City

Thirteenth Congress

First Regular Session



RESOLUTION NO. 28

RESOLUTION CONCURRING IN THE  
RATIFICATION OF THE CONVENTION ON  
THE CONSERVATION AND MANAGEMENT OF  
HIGHLY MIGRATORY FISH STOCKS IN THE  
WESTERN AND CENTRAL PACIFIC OCEAN  
AND ITS ANNEXES

WHEREAS, the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and its Annexes was signed by the Philippines on 05 September 2000;

WHEREAS, the Convention, consisting of forty-four (44) articles and four (4) annexes, provides for the long-term conservation and sustainable use, in particular for human food consumption, of highly migratory fish stocks in the western and central Pacific Ocean;

WHEREAS, the Convention recognizes the ecological and geographical vulnerability of the small island developing States, territories and possessions in the region, their economic and social dependence on highly migratory fish stocks, and their

need for specific assistance, including financial, scientific and technological assistance, to allow them to participate effectively in the conservation, management and sustainable use of the highly migratory fish stocks;

WHEREAS, under the Convention, the signatories are obligated to adopt measures to minimize waste, discards, catch by lost or abandoned gear, pollution originating from fishing vessels, catch of non-target species, both fish and non-fish species, in particular endangered species and promote the development and use of selective, environmentally safe and cost-effective fishing gear and techniques;

WHEREAS, the Convention provides for the establishment of a Commission to implement the Convention. Members of the Commission shall ensure that: (a) fishing vessels flying its flag comply with the provisions of this Convention and the conservation and management measures adopted hereto and that such vessels do not engage in any activity which undermine the effectiveness of such measures; and (b) fishing vessels flying its flag do not conduct unauthorized fishing within areas under the national jurisdiction of any Contracting Party;

WHEREAS, the Convention provides that the Commission shall give full recognition to the special requirements of developing State Parties to this Convention, in particular small island developing States, territories and possessions, in relation to conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries for such stocks;

WHEREAS, the Convention shall enter into force thirty (30) days after the deposit of instruments of ratification, acceptance, approval or accession by: (a) three States situated north of the twenty degree (20°) parallel of north latitude; and (b) seven States situated south of the twenty degree (20°) parallel of north latitude. Alternatively, if, within three years of its adoption, the Convention has not been ratified by three (3) of the States referred to above, the Convention will enter into force six months after the deposit of the thirteenth instrument of ratification, acceptance, approval or accession (regardless of the States location) or as above, whichever is the earlier;

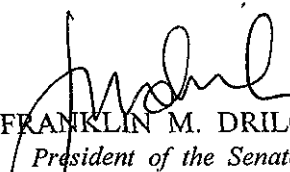
WHEREAS, as of January 2005, nineteen (19) countries have ratified or acceded to the Convention and nine (9) countries have yet to ratify or accede the same;

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 03 March 2005, concerned government agencies such as the Bureau of Fisheries and Aquatic Resources of the Department of Agriculture, and concerned non-government organizations such as the Confederation of Philippine Tuna Industry, Inc. and the SOCSKSARGEN Federation of Fishing Allied Industry, Inc. strongly supported for Senate concurrence on the Convention;

WHEREAS, pursuant to Section 21, Article VII of the 1987 Philippine Constitution, "*No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the Members of the Senate*": Now, therefore, be it


*Resolved*, That the Senate of the Philippines concur, as it hereby concurs in the ratification of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and Its Annexes.

Adopted,



FRANKLIN M. DRILON  
*President of the Senate*

This Resolution was adopted by the Senate on May 17, 2005.



OSCAR G. YABES  
*Secretary of the Senate*