

MALACAÑANG
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 282

INTENSIFYING THE PROTECTION OF THE WHALE SHARK (RHINCODON TYPUS), POPULARLY KNOWN AS "BUTANDING", IN THE PHILIPPINE WATERS

WHEREAS, the 1987 Constitution mandates that the State shall protect and advance the right of the Filipino people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act of 2001), Republic Act No. 8550 (Philippine Fisheries Code of 1998), and Executive Order No. 578 have enshrined as a State policy the conservation and protection of wildlife species and their habitats to promote ecological balance and maintain biological biodiversity, and to ensure and secure the well-being of present and future generations of Filipinos;

WHEREAS, the presence of the whale shark in Philippine waters demonstrates the richness of the country's marine biodiversity, and affirms studies that identify the Philippines as one (1) of the eighteen (18) mega-biodiverse countries in the world;

WHEREAS, the whale shark as the largest fish is considered not only one of most charismatic animals of the sea but also one of the most endangered due to commercial and artisanal fishing;

WHEREAS, the whale shark is listed in both Appendix II of the CITES considering that trade in the species is strictly regulated, and Appendix II of the Convention on Migratory Species (CMS) since the species has an unfavorable conservation status and would benefit significantly from international cooperation aimed at conserving them;

WHEREAS, whale shark watching is providing a significant boost to promote ecotourism and augmenting livelihoods for coastal communities;

WHEREAS, the Philippines hosted a Technical Meeting for the Elaboration of a Conservation and Management Plan for Migratory Sharks and the 3rd



Meeting on International Cooperation on Migratory Sharks under the Convention on Migratory Species of Wild Animals;

WHEREAS, the Philippines is a signatory to the Memorandum of Understanding (MOU) that was successfully negotiated in the 3rd Meeting on International Cooperation on Migratory Sharks under the Convention on Migratory Species of Wild Animals;

WHEREAS, the whale sharks that thrive in Philippine waters continue to be threatened and killed despite existing legal measures for their protection;

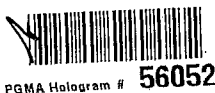
WHEREAS, the recent incident of whale shark killing last February 15, 2010 in Tingloy, Batangas was a direct affront to the Philippine government as host to the meeting of experts that crafted the Conservation Plan for Migratory Sharks and as signatory to the MOU to achieve and maintain a favorable conservation status for migratory sharks based on the best available scientific studies;

WHEREAS, the need to further intensify international and national protection efforts to conserve the species and to sustain the ecotourism development in certain coastal communities in the country has become manifest;

THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby mandate the following:

Section 1. *Locating, Monitoring and Protecting the Whale Shark Pathways in Philippine Waters.* The Armed Forces of the Philippines (AFP) through the Philippine Navy, the Coast Guard, the Philippine National Police (PNP), Maritime Command, the Department of Agriculture (DA) through its Bureau of Fisheries and Aquatic Resources (BFAR), the Department of Environment and Natural Resources (DENR), and concerned Local Government Units (LGUs), shall coordinate with academe and marine fisheries expert to locate, monitor, and protect the whale sharks' pathways in Philippine waters. These pathways shall be mapped in appropriate scale for the information of the general public. The government enjoins the cooperation of all seagoing vessels, both foreign and local, in the conduct of the above-mentioned endeavor.

Section 2. *Mandatory Rescue of Wounded Whale Sharks.* Concerned Local Government Units (LGUs) are hereby enjoined to render mandatory rescue efforts to any wounded whale shark found within their area of jurisdiction. Upon sighting of a wounded whale shark, the LGUs concerned shall immediately coordinate with any unit of the Philippine Navy, Coast Guard, PNP



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Maritime Command, DA and DENR for proper care, treatment and eventual release.

Section 3. Investigation and Prosecution of Suspected Violators.

The National Bureau of Investigation (NBI) and National Prosecution Service (NPS) of the Department of Justice (DOJ) shall intensify their respective efforts in the investigation, filing, and prosecution of criminal cases involving violation of laws, rules and regulations on the protection of whale sharks;

Section 4. Reward or Incentive. A person who provides information leading to the arrest of any person harming or killing a whale shark, or who leads to the rescue or protection of a wounded whale shark, shall receive a reward or incentive from the government. The DA and DENR are hereby directed to draft the implementing rules hereof.

Section 5. Funding. The amount of Fifteen Million Pesos (Php15,000,000.00) from the Presidential Social Fund is hereby provided to support capacity building and monitoring and enforcement activities of the LGUs and the National Government Agencies to implement this Order.

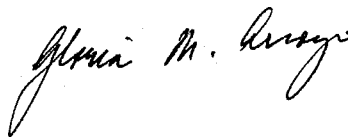
Section 6. Repealing Clause. All proclamations, executive orders, rules and regulations, and other issuances or parts thereof, which are inconsistent with this Executive Order, are hereby revoked, amended or modified accordingly.

Section 7. Separability Clause. Should any provision of this Order be declared unconstitutional or invalid, the validity of the remaining provisions hereof shall be unaffected thereby.

Section 8. Effectivity. This Administrative Order shall take effect immediately after its publication in a national newspaper of general circulation.

DONE, in the City of Manila, this 16th day of March in the year of Our Lord, Two Thousand and Ten.

By the President:



LEANDRO R. MENDOZA
Executive Secretary

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