

MALACAÑANG
MANILA

EXECUTIVE ORDER No. 578

ESTABLISHING THE NATIONAL POLICY ON BIOLOGICAL DIVERSITY, PRESCRIBING ITS IMPLEMENTATION THROUGHOUT THE COUNTRY, PARTICULARLY IN THE SULU SULAWESI MARINE ECOSYSTEM AND THE VERDE ISLAND PASSAGE MARINE CORRIDOR

WHEREAS, biological diversity, also referred to as biodiversity, is essential to sustain all life and is a foundation of a sound environment that is necessary for human well-being and sustainable development;

WHEREAS, the Philippines, as one of eighteen (18) mega-biodiversity countries that collectively make up two-thirds of the earth's biological diversity, is immensely rich in both terrestrial and marine biodiversity;

WHEREAS, the Philippines is also known as one of the biodiversity hotspots where biological diversity is under constant threat due to unsustainable resource use practices, over-exploitation, population pressure, poverty and other factors;

WHEREAS, the 1987 Constitution provides in Section 16 of Article II 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, Republic Act (RA) No. 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) Act of 1992, RA No. 9147, otherwise referred to as the Wildlife Resources Conservation and Protection Act, RA No. 9072, otherwise referred to as the National Caves and Cave Resources Management and Protection Act, and RA No. 8550, otherwise known as the Philippine Fisheries Code of 1998 mandate the state to protect and conserve biological diversity;

WHEREAS, the Department of Environment and Natural Resources (DENR), its partner

institutions and civil society have developed the National Biodiversity Strategy and Action Plan (NBSAP) in 1997 and its iteration in 2002 entitled "Philippine Biodiversity Conservation Priority-Setting Program";

WHEREAS, Executive Order (EO) No. 533, issued in June 2006, adopted the Integrated Coastal Management (ICM) as a national strategy for sustainable development of marine and coastal resources;

WHEREAS, there are many efforts throughout the country by local communities, civil society organizations, and the private sector to conserve, protect and sustainably use biodiversity;

WHEREAS, the Philippines is a party to various multilateral environmental agreements with the aim of conserving and sustainably using biological diversity, including the United Nations (UN) Convention on Biological Diversity, the Cartagena Protocol on Biosafety, the Convention on Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species (CITES) of Wild Fauna and Flora, the Convention on Wetlands, and the UNESCO World Heritage Convention, among others;

WHEREAS, the Philippines is a party to the UN Convention on the Law of the Sea and the Basel Convention, and is a member of the International Maritime Organization, as well as a party to various international agreements on marine pollution;

WHEREAS, the Philippine is a signatory to the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA), has adopted the Sustainable Development Strategy for the Seas of East Asia (SDS-EAS), and is a partner of the Partnerships in Environmental Management for the Seas of East Asia (PEMSEA);

WHEREAS, the Sulu Sulawesi Marine Ecoregion (SSME) is situated at the apex of the coral triangle, which is recognized as having

the highest coral diversity in the world, and is jointly managed by the Philippines, Malaysia and Indonesia under a Memorandum of Understanding signed in 2004 and in accordance with the SSME Conservation Plan;

WHEREAS, the Verde Island Passage Marine Corridor, within the SSME and inside Philippine territory covering the provinces of Batangas, Mindoro Occidental, Mindoro Oriental, Marinduque and Romblon, has been identified by scientists as the Center of the Center of Marine Shorefish Diversity in the world;

WHEREAS, there is a need to establish, in accordance with law, the National Policy on Biological Diversity, and prescribe its implementation throughout the country, particularly in the Verde Island Passage Marine Corridor, and in all Philippine territory within the SSME.

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

SECTION 1. *Policy of the State on Biological Diversity.*—In accordance with law, it is the policy of the state to protect, conserve, and sustainably use biological diversity to ensure and secure the well-being of present and future generations of Filipinos. This state policy extends to all the components of biodiversity – ecosystems, species and genes.

The Department of Environment and Natural Resources (DENR), Tourism (DOT), Science and Technology (DOST), Agriculture (DA), Health (DOH), Energy (DOE), Transportation and Communications (DOTC), Foreign Affairs (DFA), Trade and Industry (DTI), National Defense (DND), and Interior and Local Government (DILG), the National Economic Development Authority (NEDA), and all concerned government agencies and offices and local government units shall integrate and mainstream the protection, conservation and sustainable use of biological diversity into their policies, rules and regulations, programs, projects and development planning process.

All government agencies, including local government units, shall formulate and submit to DENR, for monitoring compliance, their respective biological diversity programs. The DENR shall provide technical assistance to all concerned agencies.

SEC. 2. *Role of the Private Sector and Civil Society.*—Recognizing that the protection, conservation and sustainable use of biodiversity is a shared responsibility among all sectors, the DENR and all concerned government agencies and offices shall actively engage and collaborate with the private sector, civil society, and local communities so that biological diversity goals are incorporated in their respective programs and activities, including institutionalizing biodiversity conservation as a principal corporate environmental responsibility. Public participation in protection, conservation and sustainable use activities, especially at the local level, shall be encouraged to maximize conservation and community benefits.

SEC. 3. *Guidelines on Critical Habitats and Key Biodiversity Areas.*—To implement the state policy on biological diversity, the DENR shall, in accordance with law and subject to public consultations, develop and promulgate rules, and regulations for the establishment of critical habitats within key biodiversity areas which are known to harbor habitats and ecosystems critical for the survival of threatened, restricted-range, and congregatory species, and provide the guidelines for their management and protection. Biodiversity impact assessment shall be integrated into the Environmental Impact Assessment and the Environmental Risk Assessment Processes, taking into consideration guidelines adopted under the United Nations Convention on Biological Diversity. Such rules, regulations and guidelines shall be issued within sixty days from the effectivity of this Order.

SEC. 4. *The Presidential Commission for the Integrated Conservation and Development for the Sulu Celebes Seas.*—The DENR, as Chairman of the Presidential Commission for the Integrated Conservation and Development of the Sulu Celebes Seas created in 1997 by

Proclamation No. 1028, otherwise referred to as the Commission, is hereby instructed to immediately undertake the following tasks, *viz.*: (1) review and update the SSME conservation plan; (2) create and organize an Ad Hoc Task Force on Verde Island Passage to ensure the protection, conservation and sustainable use of biological diversity in the Verde Island Passage Marine Corridor; and (3) identify other marine biodiversity corridors within the SSME that require urgent attention and formulate appropriate conservation and management strategies.

The Task Force, which is to be composed of DENR, DOT, DOST, DA, DOH, DOE, DOTC, DFA, DTI, DND, DILG, NEDA and all local government units shall formulate the Verde Island Passage Management Plan in consultation with stakeholders, the private sector, civil society and local communities and shall submit the same to the Commission for approval. In the preparation of the plan, the Task Force shall take into account existing efforts to protect marine biodiversity, implement integrated Coastal Management, and conduct disaster risk assessment and management in the Verde Island Passage Marine Corridor. The Commission shall ensure that the Plan is completed within 120 days from the effectivity of this Order.

SEC. 5. *Funding.*—Starting 2008 and thereafter, the funding requirements shall be included in the General Appropriations Bill to be submitted to Congress.

All member-departments of the PC-ICDSCS and the TF-VIP are under obligation to fully support the activities by way of entering into appropriate agreements, as well as sharing financial and technical resources, among others, to support the implementation of the SSME Conservation Plan.

SEC. 6. *Repeal.*—All 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.

SEC. 7. *Separability.*—Any portion or provision of this Executive Order that maybe declared unconstitutional shall not have the effect of nullifying its other portions or provisions, as long as such remaining portions can still be given effect.

SEC. 8. *Effectivity.*—This Executive Order shall take effect fifteen (15) days after its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 18th day of November in the year of Our Lord, Two Thousand and Six.

(Sgd.) GLORIA MACAPAGAL-ARROYO
[SEAL] *President of the Philippines*

By the President:

(Sgd.) EDUARDO R. ERMITA
Executive Secretary