



Coastal resource management (CRM) is an increasingly important issue for the Philippines. In recent years, more and more Filipinos have come to realize the tremendous impact of coastal resources on the country's well-being. These resources, increasingly under threat from destruction and overexploitation, need to be protected, managed, and nurtured for generations to come.

A first step in setting up viable resource management systems is to decide who and what entities have jurisdiction over the resource. Before any concrete, long-term, and sustainable actions can be taken to protect and manage resources, it must be clear where the responsibility lies. In short, the legal and institutional framework must be clear to all concerned, so that all responsible, able, and willing parties can play a constructive role in the management of coastal resources.

In CRM, the legal and jurisdictional issues facing the country have been complicated by the devolution of many responsibilities to local government units (LGUs) under the Local Government Code of 1991 (LGC). While the devolution raises hope for a more direct and responsive management regime, it also complicates the lines of authority over resources. LGUs today have more responsibilities over various resources than in the past, but they are often not yet capable of managing these resources. A first step in improving this situation is to clarify the LGUs' responsibilities in relation to national agencies. It requires that all LGUs have a thorough understanding of the national legal framework for CRM. The clarification can be made by addressing:

- ◆ The legal basis for CRM
- ◆ Roles and scope of responsibilities of LGUs and National Government Agencies (NGAs)
- ◆ National laws and administrative orders for local level use

To assist in the clarification of these issues, the Coastal Resource Management Project (CRMP), a technical assistance project funded by the United States Agency for International Development (USAID) and implemented by the Department of Environment and Natural Resources (DENR) in partnership with the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR), the Department of Interior and Local Government (DILG), LGUs, non-government organizations (NGOs), people's organizations (POs), and the academe, initiated a consultative process to produce this *Legal and Jurisdictional Guidebook for Coastal Resource Management in the Philippines*. In addition to the NGAs, the process involved the coastal communities and LGUs in CRMP's six learning areas; CRMP; and multi-sectoral Technical Working Group (TWG) convened especially for this purpose (Figure 1-1). Many of the questions discussed and answered by the TWG were raised by LGUs themselves as well as by other groups who desire more effective management of their communities' coastal resources.

By supporting a process of multi-directional communication among the concerned NGAs, LGUs, and various NGOs,

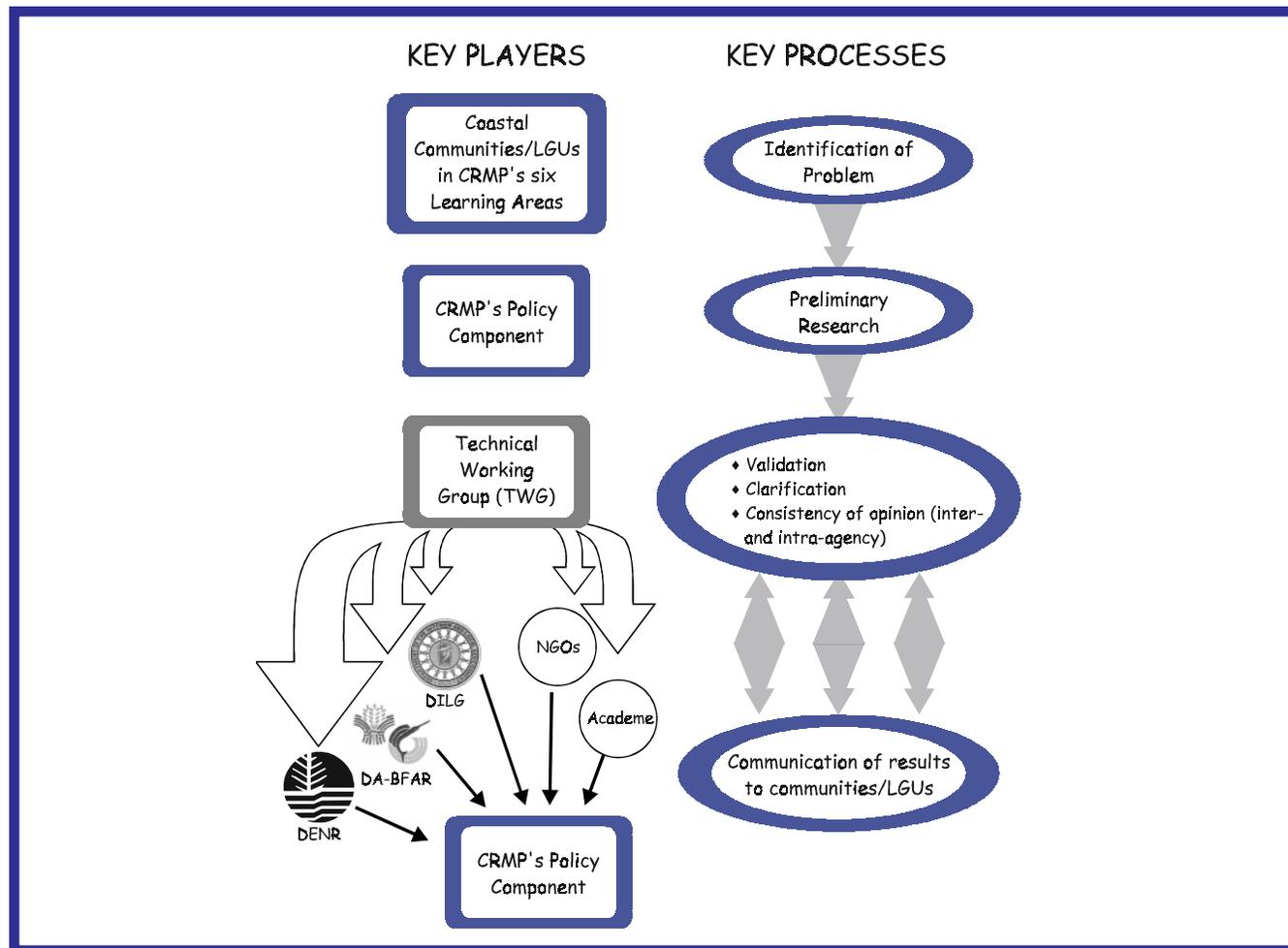
1.1 BACKGROUND AND FOCUS



1 About this Guidebook



FIGURE 1-1
PROCESSES AND KEY PLAYERS IN
THE FORMULATION OF THE GUIDE-
BOOK



CRMP facilitated a wide-ranging exchange of information and ideas, thus ensuring that the resulting Guidebook reflects the various concerns of all levels of government.

This Guidebook is the beginning of a long-term effort to clarify issues affecting the implementation of CRM in the





Philippines. Since LGUs have an increasing responsibility over CRM-related matters, they are the primary focus of this work, but there is a wide range of organizations and individuals who are expected to benefit from it as well. These include academic institutions and researchers, POs, NGOs, and government organizations that make up the CRM practitioner community.

1.2 OBJECTIVES

This Guidebook aims to:

- ◆ Provide a comprehensive base of information on the legal basis for CRM
- ◆ Determine and clarify how existing laws and policies can be used to address CRM issues
- ◆ Clarify responsibilities of LGUs and NGAs towards sustainable CRM
- ◆ Respond to commonly asked questions about CRM

This Guidebook provides information on the legal and jurisdictional framework for CRM, a prerequisite to formulating a plan or a set of guidelines for CRM in the Philippines.

1.3 CONTENT ORGANIZATION

To help users get the most out of this Guidebook, we divided the material into four chapters (beginning with Chapter 2) as follows:

- ◆ Chapter 2 explains CRM in the Philippine context. This chapter cites several past and current projects as examples of CRM lessons and directions.
- ◆ Chapter 3 highlights the difficulties of pursuing CRM in the face of the many functional overlaps among the various agencies involved in CRM and the rigid national legal framework within which the laws are set.
- ◆ Chapter 4 identifies and resolves jurisdictional issues in relation to major coastal issues.
- ◆ Chapter 5 answers and explains commonly asked questions about CRM-related jurisdictional issues.

Annexes include a comprehensive list of all laws and orders relating to CRM, a glossary of terms, and a subject index for easy reference.

This Guidebook is envisioned to be an evolving document. After ascertaining jurisdiction, the succeeding initiatives would be focused on the development of a “Procedural Manual” for CRM. The CRM Hotline, which was developed to enhance interaction of the users of this Guidebook with CRMP and the TWG, is included in this document as a detachable page.

