2

Sector	:	All sectors
Subsector	:	-
Industry Classification	:	-
Level of Government	:	All levels
Type of Obligation	:	National Treatment (Article 10.3)
Description of Measure	:	The Philippines protects the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserves its use and enjoyment exclusively to Filipino citizens. Small-scale utilization of natural resources is allowed only to Filipino citizens, as well as cooperative fish farming, with priority to subsistence fishermen and fish workers in rivers, lakes, bays, and lagoons.
Source of Measure	:	– The *1987 Philippine Constitution* – R.A. No. 7160, the *Local Government Code of 1991* – R.A. No. 7942, the *Philippine Mining Act of 1995* – R.A. No. 7076, the *People's Small-Scale Mining Act of 1991* – R.A. No. 8550, the *Philippine Fisheries Code of 1998*, as amended by R.A. No. 10654, *An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Amending Republic Act No. 8550, Otherwise Known as "The Philippine Fisheries Code of 1998," and for Other Purposes* – Presidential Decree No. 705, s. 1975, the *Revised Forestry Code of the Philippines*

3

Sector	:	Fisheries and Aquaculture
Subsector	:	-
Industry Classification	:	ISIC 050 Fishing, aquaculture and service activities incidental to fishing
Level of Government	:	All levels
Type of Obligation	:	National Treatment (Article 10.3) Most-Favoured-Nation Treatment (Article 10.4)
Description of Measure	:	The use and exploitation of the fishery and aquatic resources in Philippine waters shall be reserved exclusively to Filipinos. **Municipal Fishing** All fishery activities in municipal waters shall be utilized by municipal fisherfolk and their cooperatives or organizations who are listed as such in the registry of municipal fisherfolk. **Commercial Fishing** No commercial fishing vessel license shall be issued except to citizens of the Philippines, partnerships or to associations, cooperatives or corporations duly registered in the Philippines at least 60 percent of the capital stock[1] of which is owned by Filipino citizens, subject to requirements and compliance with certain conditions. Foreign owned vessels are not allowed to conduct fishing operations in all Philippine waters. **Note:** There is a moratorium on the issuance of commercial fishing vessel and gear licenses and other clearances. **Fishpond** No fishpond lease agreements may be issued for public lands that may be declared available for development primarily except to citizens of the Philippines, or fisherfolk cooperatives or associations. In the absence of such citizens or fisherfolk cooperatives of associations, corporations duly incorporated in the Philippines at least 60 percent of the capital stock of which is owned by Filipino citizens may be granted fishpond

[1] The foreign equity participation under this Reservation is not covered by Reservation No. 1 of List B.