

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 57

ESTABLISHING A NATIONAL COAST WATCH SYSTEM, PROVIDING FOR ITS STRUCTURE AND DEFINING THE ROLES AND RESPONSIBILITIES OF MEMBER AGENCIES IN PROVIDING COORDINATED INTER-AGENCY MARITIME SECURITY OPERATIONS AND FOR OTHER PURPOSES

WHEREAS, it is the policy of the State to safeguard national sovereignty, territorial integrity, national interest, and the right to self-determination;

WHEREAS, the Philippines, as an archipelagic State, asserts its sovereignty and sovereign rights as stated under Republic Act (RA) No. 9522, otherwise known as the "Philippine Baselines Law" and the United Nations Convention on the Law of the Sea (UNCLOS) of 1982;

WHEREAS, the Philippines faces serious maritime security challenges threatening not only its territorial integrity but the peaceful existence of the Filipinos and their inherent rights to be free from such threats as piracy, armed robbery, terrorism, proliferation of weapons of mass destruction, trafficking in persons, drugs and firearms trafficking, smuggling, illegal fishing, transnational crimes, national disasters, climate change, and marine environment degradation;

WHEREAS, there is pressing need for the government to address maritime security challenges in the Philippines, particularly those that adversely affected peace and order in the area, and posed a danger to the environment and the national patrimony, among others;

WHEREAS, under the Administrative Code of 1987, the Philippine Navy is designated as the major service of the Armed Forces of the Philippines (AFP) responsible for naval defense of the Philippines;

WHEREAS, pursuant to RA No. 9993, otherwise known as the "Philippine Coast Guard Law of 2009," the Philippine Coast Guard is mandated, among others, to ensure maritime safety, safety of navigation, enforcement and maintenance of maritime security, prevention or suppression of terrorism at sea, and the performance of enforcement functions within the maritime jurisdiction of the Philippines;

WHEREAS, the Philippine Navy forged the establishment of an infrastructure for a national coast watch system, the Coast Watch South, which has the primary objective of providing maritime domain awareness in support of security operations in Southern Philippines;



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WHEREAS, international and regional cooperation in maritime security enables the Philippines to develop needed capabilities at a faster pace;

WHEREAS, enhancing maritime security in the seas that link our country with other neighboring States promotes our national interest;

WHEREAS, government agencies have complementing programs and activities which can be integrated into a national coast watch system towards enhancing maritime domain and security awareness;

WHEREAS, it is imperative for the government to integrate and strengthen its maritime security initiatives through effective inter-agency cooperation, collaboration, and coordination to bring about efficient and effective maritime security policy; and,

WHEREAS, the President, under Section 17, Article VII of the Constitution, has the power and control over executive departments, bureaus and offices, as well as the continuing authority, under existing laws, to reorganize such executive departments, bureaus and agencies.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Establishment of the National Coast Watch System. There is hereby established a National Coast Watch System (NCWS) as the central inter-agency mechanism for a coordinated and coherent approach on maritime issues and maritime security operations towards enhancing governance in the country's maritime domain.

SECTION 2. Establishment of the National Coast Watch Council. There is hereby established a National Coast Watch Council, hereinafter referred to as the "Council," which shall be composed of the following:

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| Chairperson | : | Executive Secretary |
| Members | : | Secretary of Transportation and Communications Secretary of National Defense Secretary of Foreign Affairs Secretary of the Interior and Local Government Secretary of Justice Secretary of Energy Secretary of Finance Secretary of Environment and Natural Resources Secretary of Agriculture |

The Council shall meet at least twice every year, and at such other times as the Chairperson may deem necessary or appropriate.



SECTION 3. Powers and Functions of the Council. The Council shall be the central inter-agency body which shall be in charge of formulating strategic direction and policy guidance for the NCWS. The Council shall further have the following powers and functions:

- a) Provide strategic direction and policy guidelines for NCWS maritime security operations, and multinational and cross-border cooperation on maritime security;
- b) Conduct periodic review of maritime security operations and render periodic reports to the President and the National Security Council (NSC);
- c) Recommend to the President policies and procedures in managing and securing the country's maritime domain, as well as the issuance of administrative rules and regulations to enhance maritime security in the Philippines;
- d) Harmonize capability plans and fund requirements relative to maritime security missions;
- e) Harmonize and coordinate the roles and relationships of different government agencies, pursuant to their mandates, relative to the policy direction of maritime security and governance framework as may be determined by the Council;
- f) Convene or dissolve, as the need arises, inter-agency committees and/or working groups to assist the Council in the performance of its functions;
- g) Exercise overall jurisdiction and direction over policy-formulation, implementation and coordination with other government agencies, experts and organizations, both foreign and local, on all maritime issues affecting the country;
- h) Enlist and/or require the support and/or assistance of any department, bureau or agency of the government in the pursuit of its mandates and functions;
- i) Promulgate rules and regulations as may be necessary for the Council to perform its mandate under this Executive Order; and
- j) Perform such other functions as may be deemed necessary by the Chairperson for the effective discharge of its mandate or as may be directed by the President.

SECTION 4. The Coast Watch Council Secretariat. The Coast Watch Council Secretariat, hereinafter referred to as the "Secretariat," is hereby established to provide technical and administrative support to the Council. The Secretariat shall also have the following functions:

- a) Provide consultative research and administrative services to the Council;



- b) Assist the Council in proposing and reviewing legislative and administrative issuances on maritime security;
- c) Assist inter-agency committees and working groups created by the Council in the performance of their respective mandates, including the provision of administrative, technical and secretariat support; and
- d) Perform such other functions and tasks as the Council may direct.

The Secretariat shall be headed by an Executive Director, who shall be appointed by the Chairperson, upon the recommendation of the Council. The Council shall determine the personnel requirements of the Secretariat in accordance with applicable laws, rules and regulations.

SECTION 5. National Coast Watch Center. The National Coast Watch Center, hereinafter referred to as the "Center," in accordance with the strategic direction and policy guidance issued by the Council, shall implement and coordinate maritime security operations. It shall further have the following functions:

- a) Gather, consolidate, synthesize and disseminate information relevant to maritime security;
- b) Develop and maintain effective communications and information systems to enhance inter-agency coordination in maritime security operations;
- c) Coordinate the conduct of maritime surveillance or response operations upon the request of a member agency or when an exigency arises;
- d) Plan, coordinate, monitor, evaluate, document and report on the conduct of maritime security operations;
- e) When so authorized by the Council, coordinate cross-border and multinational maritime security cooperation;
- f) Coordinate support for the prosecution of apprehended violators;
- g) Develop a common operating picture to enhance maritime situational awareness;
- h) Conduct periodic assessments on maritime security;
- i) When so authorized by the Council, and in coordination with the Department of Foreign Affairs, initiate cross-border and multinational maritime security cooperation; and
- j) Perform such other functions as may be directed by the Council.



The Center shall be established in and headed by the Philippine Coast Guard (PCG).

SECTION 6. Support Agencies. Subject to such rules and regulations, which the Council shall promulgate, the following agencies shall provide manpower, equipment and material support to the Center and its operations:

- a) Philippine Navy;
- b) Philippine Coast Guard;
- c) Philippine National Police Maritime Group;
- d) National Prosecution Service of the Department of Justice;
- e) Bureau of Customs;
- f) Bureau of Immigration;
- g) National Bureau of Investigation;
- h) Bureau of Fisheries and Aquatic Resources; and
- i) Philippine Center on Transnational Crime.

The roles and responsibilities of each of the support agencies in the conduct of maritime security and enforcement operations shall be set forth in the rules and regulations to be promulgated by the Council.

All other government agencies are hereby directed to actively coordinate and cooperate with the Council and support the maritime security operations of the government. For this purpose, the Chairperson may call upon the heads of government agencies for assistance, as may be necessary.

SECTION 7. Abolition of the Commission on Maritime and Ocean Affairs. In line with the continuing efforts to streamline and rationalize the functions of government offices, the Commission on Maritime and Ocean Affairs (CMOA) created under Executive Order No. 612 (s. 2007), as amended, is hereby abolished. The mandate and functions of the CMOA shall now be performed by the Council.

SECTION 8. Non-Diminution of Mandates. Nothing in this Executive Order shall diminish the mandates, functions and responsibilities of the support agencies except under Section 7 hereof.

SECTION 9. Funding. The initial funding requirement of Twenty Million Pesos (Php 20,000,000.00) shall be sourced from the Special Account in the General Fund (SAGF) of the Department of Energy under Fund 151, to be released by the Department of Budget and Management (DBM), subject to the submission of the Bureau of Treasury (BTr) Certification on the availability of deposited collections with the SAGF of the DOE and to existing laws and the usual government budgetary, accounting and auditing rules and regulations.

Thereafter, appropriations for the succeeding fiscal years shall be incorporated in the General Appropriations Act.



SECTION 10. Authority to Accept Assistance and/or Donations. The Council and the Center are hereby authorized to accept donations, contributions, grants, bequests or gifts from domestic or foreign sources, for purposes relevant to their mandates and functions, in accordance with applicable laws and rules and subject to government accounting and auditing rules and regulations.

SECTION 11. Reports. The Council shall, within ninety (90) days from the issuance of this Executive Order, submit a report to the President on the implementation hereof. Thereafter, the Council shall submit annual reports to the President on the operations of both the Council and the Center.

SECTION 12. Separability. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

SECTION 13. Repealing Clause. With the exception of Proclamation No. 72 (s. 2001) and subject to Section 3 hereof, all issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby revoked, amended or modified accordingly.

SECTION 14. Effectivity. This Executive Order shall take effect immediately upon publication in a newspaper of general circulation.

DONE, in the City of Manila, this 6th day of September, in the year of Our Lord, Two Thousand and Eleven.



By the President:

PAQUITO N. OCHOA, JR.
Executive Secretary

