



Inter-local bay alliances in Northern Mindanao, Philippines: Experiences and lessons learned in establishment and organisational sustainability

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ARTICLE INFO

Keywords:

Alliances
Northern Mindanao
Gingog Bay
Macajalar Bay
Iligan Bay
Inter-local cooperation

ABSTRACT

Three alliances for bay management in Northern Mindanao region — Gingog Bay Alliance, Macajalar Bay Development Alliance, and Iligan Bay Alliance in Misamis Occidental— were examined if critical legal, institutional, and financial factors to ensure organisational sustainability were present. Data were from key informant interviews and secondary sources. Results showed that the alliances have a common purpose (coastal resource rehabilitation and poverty alleviation) and geographical base (bay), relied mostly on member contributions for funds, and their members were bound by legal contracts. Their reported accomplishments were strengthened coastal law enforcement, establishment of marine protected areas, conduct of resource mapping, and formulation of harmonised fisheries code. The two key issues were weak contracts and insufficient funds. For sustainability, the alliances need to focus on what they can deliver that matches their available resources, to establish a governance structure with sufficient power and control to make alliance operations work effectively, and to adopt a financial arrangement that is feasible and legally approved.

1. Introduction

In 1991, the Philippines passed into law Republic Act 7160 also known as the 1991 Local Government Code (LGC). This landmark law devolved the delivery of public services and other administrative activities to local government units (LGU) (i.e., province, municipal, and *barangay*). It marked a shift in public administration from a centrally-driven system of ‘top-down’ management to a ‘bottom-up’ strategy of expanded participation and responsibility of the LGUs. It empowered all LGUs to manage their respective municipalities, except for national heritage parks and protected areas. The LGUs were also given broad powers to generate funds through local taxes or shares in revenue from the exploitation of resources that used to be at the disposal of the national government.

Among the functions devolved to the LGUs were resource management and environmental protection. Specifically, the municipalities were granted powers to manage its territorial waters known as the municipal waters (15 km from the coastline) and the regulation of municipal fishing (i.e., fishing within municipal waters using fishing vessels of 3GT or less or fishing not requiring the use of fishing vessels).

However, it has not been easy for the LGUs to manage fisheries and the rule of law varies substantially, depending on the will and capacity of mayors. While many mayors welcomed new rights, they cannot heavily rely on the national government for support. Many local governments were not prepared or were unaware of their new roles. Limited resources were made available to them from the national government for the transition, and it has taken them a considerable time to adjust to their new authority. Many LGUs have not made any progress, while some have actively engaged in supporting fisher organizations and local management measures.

The LGUs have considerable freedom in interpreting the law as it relates to small-scale fisheries and municipal waters, but often capacity and education are limiting factors in interpreting and implementing the law. Fisheries law usually provides only general guidance, rather than detailed instruction on how to implement it. As a consequence, the interpretation and practice of implementation can substantially differ between LGUs. Thus, the effectiveness of fisheries law mainly depends on the influence, will, and capacity of the LGU administration and its leaders.

The Bureau of Fisheries and Aquatic Resources (BFAR) and LGUs do

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not work together in a streamlined fashion, partly due to the autonomy of municipalities. Each LGU can adapt its own system, which is not compatible with other entities either at the national or local level. Problems and inconsistencies become quite obvious, even around otherwise straightforward processes such as vessel registration, traceability monitoring, and catch reporting.

Meanwhile, many local government units (LGUs) were unable to effectively manage the municipal waters, particularly bays, under a decentralized set up [1–3]. For example many LGUs were unable to address challenges and issues at the ecosystem level such as managing migratory fish stocks, coastal habitats, illegal fishing, and mobile fishers.

In the second half of the decade of 1990s, in response to the challenges of decentralization, there were LGUs that have banded together and organized themselves to cooperate or coordinate their efforts to address coastal and fisheries resource management [4–10]. This cooperative undertaking of local government units has legal bases found in Section 33 of the 1991 LGC, which provides that “local government units may, through appropriate ordinances, group themselves, consolidate or coordinate their effort, services and resources for purpose commonly beneficial to them.” Section 35 of the 1991 LGC also states that LGUs may enter into joint ventures and such other cooperative arrangements with people’s organizations (an organized group of people such as fishers, farmers, women, etc.) and non-governmental organizations to engage in the delivery of certain basic services, capacity building, and livelihood projects, and to develop local enterprises designed to diversify fisheries, among others. Section 2 (c) of the 1991 LGC also mandates the participation of stakeholders in coastal resource management programs and projects. The law requires all national agencies and offices to conduct periodic consultations with non-governmental and people’s organizations and other concerned sectors of the community before any project or program is implemented.

The foremost basis for inter-local government arrangement is found in the 1987 Constitution (Section 13, Article X) stating that LGUs may consolidate resources, services and efforts for common purposes. Moreover, Section 16 of the Fisheries Code of 1998 (and its amended version RA 10654) states that

“The management of contiguous fishery resources such as bays which straddle several municipalities, cities or provinces, shall be done in an integrated manner, and shall not be based on political subdivisions of municipal waters in order to facilitate their management as single resource systems. The LGUs which share or border such resources may group themselves and coordinate with each other to achieve the objectives of integrated fishery resource management.”

Evidences show that local government performance under a cooperative set up generates positive results [4–6,8,11–13]. There are recommendations to create [14] or strengthen [9] inter-local cooperation in the country. Inter-local cooperation (or alliance) refers to “a group of local government units that are geographically adjacent or contiguous to each other coming together on a long-term basis to jointly provide services and/or implement projects” [9, p.16]. Usually, it comprises public entities but may also involve civil society, private sector and other non-government sectors.

A number of alliances were not able to sustain the gains created in the early years. Many alliances have become inactive primarily due to inadequate resources [14,15]. Those that thrived for some years were supported by external or donor funds and technical assistance but became inactive when the funds ran out.

This paper addresses the recommendation to strengthen the alliances by examining three alliances in northern Mindanao, which are for the management of three bays as their names suggest: Gingoog Bay Alliance (GBA), Iligan Bay Alliance in Misamis Occidental (IBAMO), and the Macajalar Bay Development Alliance (MBDA). No study has been conducted focusing on the nature and viability of these alliances.

Specifically, the paper focuses on whether the critical legal, institutional, and financial factors to ensure a strong and sustainable alliance are present or not in the alliances.

2. Methodology

In this paper, each of the three alliances is taken as a case study. Data was collected in August to September 2014 through a workshop with representatives of the three alliances, key informant interviews, and secondary data collection. As limitation, the study focuses only on alliance operation and does not cover their impacts on coastal resource management, except for reported accomplishments.

Although there are a number of approaches available in studying inter-local cooperation [16–19], the framework offered by GTZ [9] was chosen in examining the three alliances. This framework was a product of a study of 26 alliances in the country reflecting the local legal, institutional, and financial environment where alliances should thrive. The framework presents the critical legal [20], institutional [21], and financial [22] factors for alliance strengthening and sustainability (Table 1).

The critical legal factors include the binding instruments containing agreements that members must follow the mandatory review and update of these binding instruments, and the measures to ensure compliance to agreements [20]. It is important that LGU involvement in the alliance and the decisions made at the alliance level are ratified at the local government level. Joint resolutions and harmonisation of policies of members as proof of cooperation are important.

According to Chan [21], at the institutional level the alliance needs a “champion” that will bring stakeholders together for a decision to establish an alliance to respond to a “trigger issue”. Decision making will be easier when stakeholders see a common base and agree on a common purpose. All decisions need the cooperation and active involvement of the Local Chief Executives (LCEs) of the member-local government unit. The structure of the alliance need to be defined to identify tasks and responsibilities and resources needed for operation. The strategic plan and the manual of operation serve as guide in alliance operation. The alliance should deliver what it promises to avoid decline in support among members; must evolve in response to changing conditions.

Funds should be sufficient to cover alliance’s operation [22]. Funds may come from contributions of members (starts with the commitment to share and honoring the commitment, and the timely collection), from external sources (fund sourcing skills needed), or generated by the alliance. It is important that funds match the deliverables, funds are properly managed, and financial transactions are transparent.

3. Profile of the alliances

The three alliances are located along the north coast of Mindanao in contiguous bays (Fig. 1). The Gingoog Bay Alliance (GBA) and the Macajalar Bay Development Alliance (MBDA) are composed of local government units in the province of Misamis Oriental. Various manufacturing companies in agriculture, forestry, steel, metal, chemicals, minerals, rubber, tourism and food-processing industries are located in the province along with two international seaports and an international airport. The poverty incidence on families in 2015 was at 14.9%. [23]. The majority of the population in the coastal lowlands of the province are of Visayan descent. The language is Cebuano.

The GBA is composed of one city and four municipalities that face Gingoog Bay, which is a semi-enclosed body of water with an area of 546 km² and a coastline of 81 km. In 2015, these LGUs had a total population of 227, 716. Of the four municipalities, three were classified as third income class, while one was a fifth class. The member city, Gingoog City, was classified as second class.

The MBDA is composed of 2 cities and 12 municipalities fronting Macajalar Bay, which is located between Gingoog Bay and Iligan Bay. Macajalar Bay has a coastal water area of 1000 km² and shoreline of

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