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DOJ gives go signal for Chinese poachers' prosecution

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PUERTO PRINCESA CITY—The justice department has ordered local prosecutors to proceed with the filing of illegal fishing cases against 24 Chinese fishermen caught in Balabac, Palawan late last year, reversing an earlier decision supporting a claim made by the Chinese that they were outside Philippine territory when arrested by the Coast Guard.

Provincial Prosecutor Allen Ross Rodriguez told the Inquirer Thursday they received a copy of a resolution signed by Justice Secretary Raul Gonzalez on the case of Kwok Wai Ming, the fishing vessel of the suspects, Tuesday afternoon.

Gonzalez ordered the filing of criminal cases against the Chinese nationals for poaching and the use of explosives for fishing.

"This is an encouraging development because we were worried about losing this important case since the department secretary had earlier instructed us to withdraw the cases against the 24 Chinese," Rodriguez said.

The Chinese will be now be arraigned for violation of the Fisheries Code.

The DOJ resolution was dated June 22 but was conveyed to the Palawan Prosecutor's Office by fax only last Wednesday, said Rodriguez.

In an earlier decision issued May 24, Gonzalez denied "with finality" an appeal filed by the Bureau of Fisheries (BFAR) on the dismissal of the complaint the BFAR filed against the Chinese.

BFAR provincial head Paciano B. Guanan said his office was already set to file a petition for certiorari at the Court of Appeals when the new DOJ ruling came out.

The 24 Chinese were caught aboard an unregistered vessel near Mangsee Island, the farthest island of Balabac, Southern Palawan Oct. 21 last year.

BFAR tests showed that the fish caught in their possession were caught with the use of explosives.

Rodriguez earlier made a public appeal to put pressure on the justice department following its May 24 order to the provincial prosecutors not to proceed with the filing of the case against the Chinese.

Taking a cue from Rodriguez's appeal, officials of the provincial board issued public statements denouncing the DOJ ruling, accusing the national government of bias for the Chinese poachers.

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The 24 Chinese had each posted a P30,000 bail bond.

The Bureau of Immigration has issued a hold-departure order against them.

State Prosecutor Romeo Galvez said the Global Positioning System (GPS) tracking device in the Chinese's fishing vessel showed they were in Philippine territory when arrested.

Guianan said the DOJ's change of mind "gave a morale boost" to members of enforcement agencies patrolling Palawan waters.

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