



ASEAN PLUS THREE EMERGENCY RICE RESERVE AGREEMENT

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam, being members of the Association of Southeast Asian Nations (hereinafter referred to collectively as "ASEAN Member States" or individually as "ASEAN Member State")

and

the Governments of the People's Republic of China, Japan and the Republic of Korea, being the Dialogue Partners of ASEAN (hereinafter referred to collectively as "Plus Three Countries" or individually as "Plus Three Country")

hereinafter referred to collectively as "ASEAN Plus Three Countries" or individually as "ASEAN Plus Three Country":

RECALLING the Declaration of ASEAN Concord I and II signed in Bali, Indonesia, on 24 February 1976 and 7 October 2003 respectively, which provide that ASEAN Member States shall take cooperative action in their national and regional development programmes;

RECALLING the Agreement on the ASEAN Food Security Reserve signed in New York on 4 October 1979, which established the ASEAN Emergency Rice Reserve for the purpose of meeting emergency requirements;

RECALLING that all participants at the 2nd Meeting of the ASEAN Ministers of Agriculture and Forestry and the



Ministers of Plus Three Countries (hereinafter referred to as "AMAF Plus Three") in Vientiane, Lao PDR, on 11 October 2002, decided to launch the pilot project of the East Asia Emergency Rice Reserve (hereinafter referred to as "EAERR"), aiming at its expeditious establishment with a view to strengthening food security and eliminating poverty in the region;

RECALLING FURTHER that the EAERR pilot project has been implemented from 2004 to 2009 based on the collective efforts, support and cooperation of the ASEAN Plus Three Countries;

RECALLING FURTHER the Cha-am Hua Hin Statement on ASEAN Plus Three Cooperation on Food Security and Bio-Energy Development declared by the leaders of the ASEAN Plus Three Countries at the 12th ASEAN Plus Three Summit in Cha-am Hua Hin, Thailand, on 24 October 2009, which stated that the leaders will explore the possibility of establishing the ASEAN Plus Three Emergency Rice Reserve (hereinafter referred to as "APTERR"), based upon the experience of the EAERR, in close coordination with relevant international organisations, and taking into account each ASEAN Plus Three Country's commitment and consistency with international rules;

RECALLING FURTHER the Joint Press Statement adopted at the 9th Meeting of the AMAF Plus Three in Bandar Seri Begawan, Brunei Darussalam on 11 November 2009, which stated the transformation of the EAERR pilot project into a permanent mechanism under the APTERR and its early realization immediately after the expiration of the EAERR pilot project;

RECOGNISING the high vulnerability of the countries in the region to calamity and to wide fluctuations in the production of basic foodstuffs particularly rice and hence to instability of the region's food supply;



NOTING that the assurance of food security in the ASEAN Plus Three Countries is the common goal of all ASEAN Plus Three Countries;

EMPHASIZING that the establishment of a rice reserve among the ASEAN Plus Three Countries based on the principle of collective self-reliance will contribute to the strengthening of the respective national economic resilience as well as the regional economic resilience and solidarity of the ASEAN Plus Three Countries;

REITERATING the need to coordinate national rice stock policies, which take into account the policies of other ASEAN Plus Three Countries, in conformity with their institutional and constitutional requirements;

AFFIRMING the need for the implementation of the APTERR to be consistent with relevant internationally recognized rules and regulations such as those under the World Trade Organization (WTO) and United Nations Food and Agriculture Organization (FAO); and

REAFFIRMING the need for effective and concerted action to be taken by the ASEAN Plus Three Countries aimed at strengthening food security in the region;

HAVE AGREED as follows:

Article I Definitions

For the purposes of this Agreement, the following definitions shall apply unless the context otherwise requires:

- a. "APTERR" means the ASEAN Plus Three Emergency Rice Reserve established under Article III;



- b. **"APTERR Party"** means a Government of an ASEAN Plus Three Country for which this Agreement is in force;
- c. **"Council"** means the APTERR Council established under Article VII;
- d. **"Earmarked emergency rice reserve"** means a certain quantity of rice, which is voluntarily designated in accordance with Paragraph 1 of Article IV, for the purpose of meeting emergency requirements of one or more APTERR Parties. Such earmarked quantities of rice constitute a component of the APTERR;
- e. **"Emergency"** means the state or condition in which an APTERR Party, due to extreme and unexpected calamity, is unable to cope with the state or condition through its national reserve and is unable to procure the needed supply of rice through normal trade;
- f. **"Secretariat"** means the APTERR Secretariat established under Article VIII; and
- g. **"Stockpiled emergency rice reserve"** means rice voluntarily donated to the APTERR in the form of cash fund and/or in-kind (rice), if necessary, through appropriate international organisations such as United Nations World Food Programme (WFP) and/or Non Governmental Organisations (NGOs). Such a stockpiled emergency rice reserve is used as an emergency stock to provide preparedness for an emergency situation, and constitutes another component of the APTERR. Stockpiled emergency rice reserve can be stored in storage of a donor country, prospective recipient countries, and/or host country which voluntarily stores the stockpiled emergency rice reserve.



Article II General Provisions

1. The APTERR Parties agree that, where appropriate, food security needs to be dealt with from several aspects, especially through:
 - a. the strengthening of the rice production base of the countries of the APTERR Parties;
 - b. the prevention of post harvest losses of rice;
 - c. the adoption of effective national rice stock policies and improved arrangements for meeting requirements of emergency rice supply;
 - d. the promotion of stability of rice price;
 - e. the adoption of policies and programmes for improving consumption and nutrition, particularly of the vulnerable groups within each of the countries of the APTERR Parties; and
 - f. the promotion of labor opportunities especially in the rural areas and increasing the income particularly of the small rice farmers.
2. Nothing in this Agreement shall affect in any way the rights and obligations of the respective APTERR Parties based upon relevant existing and future treaties and other international agreements. In the event of conflict between provisions of this Agreement and provisions of the relevant treaties and other international agreements, the latter shall prevail to the extent of such a conflict.
3. This Agreement shall be implemented by the APTERR Parties in accordance with the respective national laws and regulations of their countries and within the limits of their respective annual budgetary appropriations.

