

No. 48626

**Philippines
and
Indonesia**

Memorandum of Understanding between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia on marine and fisheries cooperation. General Santos City, 23 February 2006

Entry into force: *23 February 2006 by signature, in accordance with article VII*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Philippines, 6 June 2011*

**Philippines
et
Indonésie**

Mémorandum d'accord entre le Gouvernement de la République des Philippines et le Gouvernement de la République d'Indonésie relatif à la coopération dans les domaines de la marine et de la pêche. Ville de General Santos, 23 février 2006

Entrée en vigueur : *23 février 2006 par signature, conformément à l'article VII*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Philippines, 6 juin 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
ON
MARINE AND FISHERIES COOPERATION**

The Government of the Republic of the Philippines and the Government of the Republic of Indonesia hereinafter referred to as the “*Parties*”;

Considering the spirit of cooperation as stipulated in the 1982 United Nations Convention on the Law of the Sea and common concern of the Parties on implementing sustainable development and responsible fisheries management, conservation, and responsible utilization of marine living resources;

Bearing in mind the Agreement in Fisheries between the Government of the Republic of the Philippines and the Government of the Republic of Indonesia signed in Jakarta, on August 8, 1974;

Considering the Memorandum of Understanding between the Department of Agriculture of the Republic of the Philippines and the Ministry of Marine Affairs and Fisheries of the Republic of Indonesia on Fisheries Cooperation signed in Jakarta, 12 November 2001, by which the Parties agreed, *inter alia*, to take all necessary measures to encourage and to jointly develop all fields of economic cooperation;

Recognizing that fisheries cooperation contributes to the mutual benefit on fisheries and economic development of the Parties;

Desirous of promoting and strengthening further the existing friendly and close relation between the Parties in the field of fisheries on the basis of equality and mutual benefits;

Desiring to collaboratively prevent, deter, and eliminate the Illegal, Unreported and Unregulated (IUU) fishing practices;

Noting the bilateral meeting on fisheries between the Republic of Indonesia and the Republic of the Philippines held in Manila, Philippines on 08 February 2006 as well as the other related previous fisheries meetings;

Have agreed as follows:

ARTICLE I
GENERAL PROVISION

1. The Parties shall promote cooperation in the sustainable development and responsible management of fisheries in accordance with their respective laws and regulations;
2. The Parties shall promote mutual consultation, exchange of technical assistance, joint research, and economic cooperation on agreed areas of fisheries.

ARTICLE II
AREAS OF COOPERATION

1. The Parties shall develop and pursue cooperation in the following areas of cooperation:
 - a. Aquaculture;
 - b. Marine capture fisheries through joint venture;
 - c. Post-harvest, fish processing development and marketing;
 - d. Coastal management and development;
 - e. Marine fisheries conservation;
 - f. Combating the IUU fishing practices;
 - g. Research activities;
 - h. Education and training;
 - i. Environmental protection.
2. The Parties shall endeavor to consult on matters of mutual interest prior to attending regional and international fisheries fora.
3. The Parties shall seek close cooperation to handle problems relating to IUU fishing which are brought to the attention of one Party by the other

ARTICLE III
IMPLEMENTING ARRANGEMENT

1. Both Parties through the existing Joint Committee shall ensure the implementation of this Memorandum of Understanding. Each delegation of the Joint Committee shall be headed by a Senior Official.
2. Both Parties through the Joint Committee shall determine in detail the cooperation schemes and ways in the implementation of the mentioned areas of cooperation under Article II which shall be mutually acceptable to both Parties and shall be embodied in separate subsidiary arrangement in accordance with the provisions of this Memorandum of Understanding.

ARTICLE IV
CONFIDENTIALITY

1. The Parties shall ensure that the technical data and information mutually provided, including the results of joint research carried out under this Memorandum of Understanding, are not transferred or supplied to a Third Party without the prior written consent of the Parties;
2. Matters pertaining to intellectual property rights that may arise from any activity undertaken under this Memorandum of Understanding shall be determined and agreed upon by the Parties prior to the implementation of activities.

ARTICLE V
AMENDMENT

Amendment to this Memorandum of Understanding can only be made after mutual consent achieved by consultation and confirmation in writing by the Parties.

ARTICLE VI
SETTLEMENT OF DISPUTE

Any dispute arising out of interpretation, application, or implementation of this Memorandum of Understanding shall be settled amicably through consultation or negotiation between the Parties.

ARTICLE VII
ENTRY INTO FORCE, DURATION, AND TERMINATION

1. This Memorandum of Understanding shall enter into force on the date of signing and shall remain in force for 5 (five) years. It may be extended by written agreement of the Parties.
2. This Memorandum of Understanding may be terminated at any time by either Party giving six months written notification to the other Party.
3. The termination of this Memorandum of Understanding shall not affect the validity and duration of any activities made under it.