BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF AGRICULTURE OF THE REPUBLIC OF THE PHILIPPINES AND THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT OF THE SOCIALIST REPUB...

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The Department of Agriculture of the Republic of Philippines and the Ministry of Agriculture and Rural Development of the Socialist Republic of Viet Nam (hereinafter referred to as "the Participants");

Agreeing that permanent dialogue and periodical consultations on matters related to the agriculture sector, rural development and related fields are fundamental to improving bilateral cooperation relations, development and technical progress in both countries;

HAYING IN MIND that both Participants are particularly interested in joining efforts to achieve more effective productivity, which may contribute to improving the living conditions of the populations in both countries;

TAKING INTO ACCOUNT that developing research for technological progress in the field of agriculture, rural development and related fields as well as carrying out scientific and technological exchange between the Participants, are mutually relevant actions and especially important in the economic and social fields in order to achieve judicious and sustainable use of natural resources;

CONSIDERING the will by the Participants to forge a strategic partnership oriented towards the development of mutually advantageous projects, and based on the principles of equality, solidarity and complementarity; and

EXPRESSING their resolve to strengthen technical and scientific cooperation in the fields of agriculture and rural development, as well as the promotion of trade and investment in the aforementioned areas, with a view to reinforcing the consolidation of bilateral relations between both countries;

Have reached the following understanding:

Paragraph I
OBJECTIVE

The Participants undertake to promote and intensify cooperation between both countries in the fields of agriculture, rural development and related fields based on the principles of equality, mutual respect for sovereignty and reciprocal advantage in accordance with the domestic legislation of each country and the provisions of this Memorandum of Understanding.

Paragraph II
AREAS OF COOPERATION

Each Participant may, subject to the laws, rules, regulations and national policies governing the subject matters in their respective countries, endeavour to take necessary steps to encourage, facilitate and promote agricultural co-operation in the following areas:

1) High value crops, livestock (including dairy) and aquaculture production;

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2) Post-harvest facilities and food processing;
3) Food and foodstuff quality control;
4) Farm management and sustainability;
5) Animal health and nutrition;
6) Smart agriculture and aquaculture technology;
7) Trade promotion in agriculture and related products;
8) Promoting investment and trade in agriculture between commercial companies of both countries;
9) Digital and climate smart agriculture;
10) Geographical indications;
11) Food value chain systems and marketing channel development;
12) Research for development and extension linkage;
13) Agricultural biotechnology;
14) Agri-fisheries mechanization;
15) Agricultural development policies and administration;
16) Promoting research and training programs, exchange of experts and students in the agriculture-related areas;
17) Organizing workshops and seminars, exchanging information on agriculture and rural development in each country;
18) Promoting cooperation in agriculture and rural development between regions of both countries;
19) Any other areas of cooperation on agriculture as may be jointly decided between the Participants.

Paragraph III
IMPLEMENTATION AND EVALUATION

The Participants may enter into any subsidiary arrangements for the purpose of implementing such cooperation. The Participants may conduct periodic evaluations of such cooperation activities and achievements to serve as basis for signing or upgrading cooperation to the next level.

Paragraph IV
ESTABLISHMENT OF FUTURE WORKING ARRANGEMENTS

The Participants will meet, when necessary, for the purpose of developing and strengthening mutually beneficial cooperation and examining areas of common interest, with the assistance and cooperation.

To ensure the effective implementation of this Memorandum of Understanding, the Participants will establish the Joint Committee composed of representatives from both sides and co-chaired by their designated officials;

The Joint Committee will meet every two (2) years alternately in Viet Nam and Philippines. Exact details as to the date, venue, and agenda will be mutually decided upon by the Participants.

Both sides will designate its respective focal points who will coordinate the preparation for the conduct of the meetings and approved commitments of the Joint Committee and the Working Groups that may be established.

Any Joint Committee-approved activity for implementation will entail execution of an agreement separate from this Memorandum of Understanding.

Paragraph V
IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING

1. To effectively implement the areas of cooperation as stipulated in Paragraph II, such cooperation will be pursued through any forms of implementation to be agreed upon by the Participants.

2. For the purpose of coordinating, overseeing, monitoring and reviewing the implementation of the activities

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under Paragraph II of this Memorandum of Understanding, the Participants will organize a Meeting consisting of representatives with the composition to be determined by both Participants. The Meeting will be co-chaired by the representative from either Participant. The Meeting will be organized on a regular basis, at least once on a date and location mutually decided upon.

3. For the purpose of implementing Paragraph II of this Memorandum of Understanding the Participants will appoint a Point of Contact for the exchange of information, as follows:

a) For Philippines: International Affairs Division, Department of the Philippines.
b) For Viet Nam: International Cooperation Department, Ministry of Agriculture and Rural Development.

Paragraph VI
FINANCIAL ARRANGEMENT

Implementation of any activity under this Memorandum of Understanding should be subject to budget availability and priorities of the Participants. Unless otherwise mutually decided as expressed in the implementing agreement that will be executed, the Participants acknowledge that each of them should be responsible for bearing its own costs and expenses in carrying out the specific programs, projects and activities in furtherance of the purpose of this Memorandum of Understanding.

Paragraph VII
INTELLECTUAL PROPERTY RIGHTS

The Participants shall ensure that any intellectual property rights which may arise out of the implementing cooperation activities referred to in Paragraph II of this Memorandum of Understanding will be protected in accordance with the current laws and regulations in their respective countries and their commitments as stated in international agreements.

The allocation of the ownership of intellectual property rights arising out of any activity carried out under the present Memorandum of Understanding shall be determined on a case by case basis in accordance with the applicable domestic laws and international agreements to which the two countries are Participant.

Notwithstanding the preceding provision, it is understood and decided that Intellectual Property developed by a Participant prior to the collaboration to be implemented pursuant to this Memorandum of Understanding shall remain under the ownership of the Participant.

Paragraph VIII
CONFIDENTIALITY

The Participants shall ensure that the scientific and 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 Participant without their consent.

Each of the Participants shall treat as highly confidential and with the obligation not to disclose in any manner to unauthorized parties, any information disclosed or obtained by it and shall use such confidential information only in connection with the purposes of this Memorandum of Understanding, except where such disclosure is by virtue of a law or in obedience to a lawful order of a court of competent jurisdiction. In any case, both Participants shall be notified in writing of such need to disclose any confidential information.

Confidential information means any and all information disclosed by a Participant to, or obtained by the other Participant in any manner, that, as a result of, or in connection with this Memorandum of Understanding, by its nature, is considered proprietary and confidential, regardless of whether such information is specifically labeled or

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described as such.

This provision shall survive the termination or expiration of the Memorandum of Understanding.

Paragraph IX
RESOLUTION OF DIFFERENCES

Any disputes arising from the interpretation or implementation of this Memorandum of Understanding shall be settled amicably by the Participants through consultations or negotiations.

Paragraph X
EFFECTIVITY

This Memorandum of Understanding will enter into force on the date of the signature.

Paragraph XI
AMENDMENTS

No amendment, modification, or supplement shall be valid unless the same is in writing and signed by the Participants.

Such amendment or revision shall come into effect in accordance with the provision on effectivity.

Paragraph XII
VALIDITY/TERMINATION

This Memorandum of Understanding will remain effective for five (5) years and automatically renewed for successive periods of five (5) years, unless either of the Participants gives to the other a six (6) months' prior written notice of its intention to terminate it.

The termination of this Memorandum of Understanding will not affect the implementation of ongoing activities or programs that have been agreed upon prior to the termination of this Memorandum of Understanding, unless otherwise mutually agreed by the Participants.

This Memorandum of Understanding is a statement of intent of both Participants and will comply with any law or regulation currently in force in the Participants respective jurisdictions.

This Memorandum of Understanding records the commitments of the Participants; it does not create legally binding obligations.

SIGNED in Ha Noi on 29 January 2024 in two original copies in English.

FOR THE DEPARTMENT OF
AGRICULTURE OF THE
REPUBLIC OF
THE PHILIPPINES

FOR THE MINISTRY OF
AGRICULTURE AND RURAL
DEVELOPMENT OF THE
SOCIALIST REPUBLIC OF
VIET NAM

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(Sgd.)

(Sgd.)

FRANCISCO P. TIU LAUREL, JR.
Secretary

LE MINH HOAN
Minister

Entry into Force: January 29, 2024

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