

MEMORANDUM OF UNDERSTANDING ON POLICY CONSULTATIONS BETWEEN THE DEPARTMENT OF FOREIGN AFFAIRS OF THE REPUBLIC OF THE PHILIPPINES AND THE DEPARTMENT OF FOREIGN AFFAIRS OF THE IND...

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WHEREAS the Department of Foreign Affairs, on behalf of the Republic of the Philippines, and the Department of Foreign Affairs, on behalf of the Independent State of Papua New Guinea, hereinafter referred to individually as "a Participant" and collectively as "the Participants";

COGNIZANT OF the importance of consultations and exchange of views on bilateral, regional and international issues of mutual interest;

RECOGNIZING that such consultation and dialogue will further enhance friendly relations and deepen the existing cooperation;

PURSUANT to international law and the prevailing laws and regulations of both countries;

HAVE REACHED the following understanding;

PARAGRAPH 1

PURPOSE AND SCOPE

The purpose of this Memorandum of Understanding (MoU) is to establish a mechanism to enhance communication and coordination between the Participants on bilateral, regional, and international issues of mutual interest.

PARAGRAPH 2

CONSULTATION MEETINGS

1.

The Participants will hold regular biennial meetings in order to carry out activities on bilateral, regional, and international issues of mutual interest..

2.

The Participants will mutually determine and agree, through diplomatic channels, on the level of representation, dates, venue, and agenda of each round of consultations, which will be held alternately in the Philippines and Papua New Guinea, or in a third country on the occasion of or at the sideline of official meetings of international organizations or fora. Meetings may also be conducted via videoconference or other means, as appropriate, and upon mutual agreement.

3.

Whenever necessary, the Participants will hold ad hoc meetings to address issues of mutual interest that may require urgent resolution.

4.

Results and decisions of the policy consultation meetings will be reflected in the Minutes, which will be signed by the Chairpersons after the conduct of the meeting. The first draft of the Minutes will be prepared by the host Participant to be counter-checked and revised, as necessary, by the other Participant.

5.

A Joint Statement may also be released to the public by mutual agreement of the Participants.

PARAGRAPH 3

EXPENSES AND COSTS

The Participants will bear their respective expenses for participation in the meetings, unless mutually agreed otherwise.

PARAGRAPH 4

RESOLUTION OF DIFFERENCES

Any differences between the Participants arising out of the interpretation or implementation of this MoU will be settled amicably through consultations between the Participants through diplomatic channels.

PARAGRAPH 5

CONFIDENTIALITY

1.

Each Participant will undertake to observe the secrecy and confidentiality of documents, information, and other data received or supplied to the other Participant during the period of the implementation of this MoU or any other implementing arrangements made pursuant to this MoU.

2.

Both Participants agree that the provisions of this Paragraph will continue to be binding between the Participants notwithstanding the termination of this MoU.

3.

All materials, documents, information, and other data received during the period of implementation of this MoU will not be made available to any third party without prior written consent or authorization from the other Participant.

PARAGRAPH 6

REVISION, MODIFICATION AND AMENDMENT

1.

Either Participant may request, in writing, through diplomatic channels, a revision, modification or amendment of all or any part of this MoU.

2.

Any revision, modification or amendment mutually accepted by the Participants will form part of this MoU, and will come into effect in accordance with the provision on effectivity under Paragraph 8.

3.

Any revision, modification, or amendment will not prejudice any benefits and commitments arising from or based on this MoU prior or up to the date of such revision, modification or amendment.

PARAGRAPH 7

LEGAL STATUS

1.

The provisions of this MoU are not intended to constitute or create legally binding obligations between the Participants under domestic or international law.

2.

Notwithstanding sub-paragraph (1) of this Paragraph, the provisions on confidentiality, legal status, resolution of differences, amendments, effectivity and termination will be binding on the Participants.

PARAGRAPH 8

EFFECTIVITY, DURATION AND TERMINATION

1.

This MoU will come into effect on the date of the later written notification by either Participant, conveyed through diplomatic channels, indicating that the domestic requirements for acceptance of the MoU have been duly completed.

2.

This MoU will be valid for a period of five (5) years and will be automatically renewed for successive periods of two (2) years unless either Participant notifies the other in writing, through diplomatic channels, of its intention to terminate the MoU at least six (6) prior to the intended date of termination.

3.

The termination of this MoU is without prejudice to the completion of on-going projects unless otherwise jointly determined by the Participants.

IN WITNESS WHEREOF, the undersigned being duly authorized thereto by their respective governments have signed this MoU.

DONE in San Francisco, U.S.A. on 15 November 2023, in duplicate copies.

For the

For the

Department of Foreign Affairs of Department of Foreign Affairs of
the Republic of the Philippines the Independent State of Papua New Guinea

(SGD.) HON. ENRIQUE A. MANALO

(SGD.) HON. JUSTIN W. TKATCHENKO

Secretary for Foreign Affairs

Minister for State Assisting the Prime Minister

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