BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA ON BASIC EDUCATION

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The Government of the Republic of the Philippines, and the Government of the Republic of Indonesia, hereinafter referred to as “the Parties”.

REFERRING to the Treaty of Friendship between the Republic of the Philippines and the Republic of Indonesia, signed by the parties in Jakarta, Indonesia on 21 June 1951;

RECOGNIZING the importance of principles of sovereignty and equality of states, mutual benefit on basic education, training and research in the national development of each country;

DESIRING to enhance bilateral cooperation and mutual assistance in the provision of basic education and training in their respective countries;

BELIEVING that the cooperation would benefit the Parties;

PURSUANT to the prevailing laws and regulations in their respective countries as well as the procedures and policies on basic educational cooperation,

HAVE REACHED THE FOLLOWING UNDERSTANDING:

ARTICLE 1
OBJECTIVES

The objective of this Memorandum of Understanding (MoU) is to promote mutual cooperation in basic education and training on a reciprocal basis and to promote mutual cooperation for the advancement of knowledge and intellectual development.

ARTICLE 2
SCOPE OF COOPERATION

The present MoU, without detriment to the arrangements made directly between educational institutions and/or other similar entities of both countries in public or private sector, has scope of cooperation as follows:

- to facilitate the exchange programs between educational agencies and training institutions of the Parties;

- to support mutual assistance for technical and vocational programs in basic education;

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- to facilitate the exchange of teachers and educational staff between the Department of Education of the Republic of the Philippines and the Ministry of National Education of the Republic of Indonesia and to facilitate the exchange of students for the purpose of study and/or sister school program;

- to facilitate the exchange of educational publications and periodicals;

- to facilitate the exchange of educational literature, teaching aid, documentary and demonstration material as well as the organization of relevant specialized exhibitions, symposia and seminars.

ARTICLE 3
IMPLEMENTING AGENCIES

The Parties shall designate the following agencies to implement the MoU:

- For the Government of the Republic of the Philippines is the Department of Education

- For the Government of the Republic of Indonesia is the Ministry of National Education

ARTICLE 4
IMPLEMENTATION

The Parties shall implement the MoU through specific arrangements, programs or projects which will form an integral part of this MoU.

ARTICLE 5
FUNDING

The cost of the cooperative activities under this MoU shall be funded on terms to be mutually determined by the Parties and shall be subject to the availability of funds.

ARTICLE 6
PARTICIPATION OF OTHER INSTITUTIONS

If it is deemed necessary, the Parties may invite other government and non-government institutions to implement this MoU in accordance with the prevailing laws and regulations in their respective countries.

ARTICLE 7
JOINT WORKING GROUP

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- The Parties will establish a Joint Working Group to facilitate the implementation of this MoU.

- The Joint Working Group will monitor, evaluate and review the implementation of this MoU regularly and submit the report to the Implementing Agencies.

- The Joint Working Group will be co-chaired by a representative of the Department of Education of the Republic of the Philippines and the Ministry of National Education of the Republic of Indonesia, with participation by representatives of other agencies, as appropriate, and shall meet at least once annually, alternately in the Philippines and in Indonesia.

ARTICLE 8
SUSPENSION

Each Party reserves the right, for reasons of security, public order or public health, to suspend temporarily, either in whole or in part, the implementation of this MoU which shall be effective sixty (60) days after notification has been given to the other party, through diplomatic channels.

ARTICLE 9
CONFIDENTIALITY AND INTELLECTUAL PROPERTY RIGHTS

- The Parties shall ensure that the educational data and information mutually provided and developed, including the results of joint research carried out under the Memorandum of Understanding, shall not be transferred or supplied to a Third Party without the prior written consent of the other Party.

- Each Party shall protect, within its territory, intellectual property rights of the other Party in accordance with the domestic law in force in their respective countries and based on international conventions on intellectual property ownership to which either state is a party.

- In case of specific arrangement, program or project may result in intellectual property, the Parties shall conclude a separate arrangement in accordance with their respective laws and regulations.

ARTICLE 10
SETTLEMENT OF DISPUTES

Any dispute arising from the implementation of the provisions of the MoU will be settled amicably by consultations or negotiation, through diplomatic channels.

ARTICLE 11
AMENDMENT

This MoU may be amended at any time, in writing, by the mutual consent of the Parties No amendment will have effect until signed by both Parties. Such amendment will form as an integral part of this MoU.

ARTICLE 12
EFFECTIVITY, DURATION AND TERMINATION

(1) This MoU will come into effect on the date of signature.

(2) This MoU will remain in effect for a period of five (5) years, and will be renewed for similar periods, unless either Party notifies in writing of its intention to terminate this MoU sixty (60) days in advance through diplomatic channels.

(3) The termination of this MoU shall not affect the validity and duration of any arrangements, programs, activities or projects made under this MoU until the completion of such arrangements, programs, activities or projects.

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

DONE in duplicate at Jakarta, on the 8th day of March, in the year two thousand and eleven in the Indonesian and English languages, all text being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government of
The Republic of the Philippines For the Government of
The Republic of Indonesia

(Sgd.) ALBERT F. DEL ROSARIO
Secretary of Foreign Affairs

(Sgd.) MOHAMMAD NUH
Minister of National Education

Entry into Force: March 8, 2011

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