BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF NATIONAL DEFENSE OF THE REPUBLIC OF THE PHILIPPINES AND THE MINISTRY OF DEFENSE OF THE KINGDOM OF SPAIN REGARDING DEFENSE C...

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The Department of National Defense of the Republic of the Philippines and the Ministry of Defense of the Kingdom of Spain (hereinafter jointly referred as “The Participants”, and separately as a “Participant”):

RECOGNIZING the mutual benefits inherent to defense cooperation between the Participants;

RECOGNIZING that the implementation of such cooperation shall be carried out in compliance with the policies and priorities of the respective Participants, and in accordance with the conditions as mutually determined on each occasion by the Participants;

DESIRING to further strengthen the bilateral relations between the Department of National Defense of the Republic of the Philippines and the Ministry of Defense of the Kingdom of Spain.

Both Participants have decided on the following, subject to their Constitutions, laws, regulations and policies:

I
PURPOSE

The purpose of this Memorandum of Understanding is to enhance defense cooperation through the exchange of experience and knowledge between the Participants.

II
IMPLEMENTATION

The Participants entrust the implementation of this Memorandum to their respective Department/Ministry of Defense.

III
DEFENSE COOPERATION

In the field of defense cooperation, the Participants may, subject to their respective rules and regulations:

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- Establish a mechanism for a defense and security dialogue;

- Exchange visits;

- Exchange information and experience; and

- Identify opportunities in such fields as logistics, defense industry, counter-terrorism, humanitarian aid and relief, and others.

IV
OTHER ACTIVITIES

The Participants, subject to their respective rules and regulations, may cooperate in other defense-related activities not mentioned in Paragraph III, including:

- Port calls;

- Attendance in trainings/seminars, schooling under scholarship grants, discussions, symposia and other fora as well as exchange of personnel for on-the-job-training; and

- Undertake any other activity which in their opinion will contribute to promote closer cooperation between the Department/Ministry of Defense of both Participants.

V
FINANCIAL ARRANGEMENTS

1. All expenses of the personnel, who are involved in cooperation activities according to the provisions of this Memorandum, will be decided on a reciprocal basis as follows:

- The hosting Participant will cover local transportation expenses for the delegation and will try to provide, at its own expense, medical services in emergency cases on its national territory; and

- The sending Participant will cover expenses for accommodations and meals, and all other expenses.

2. The above mentioned commitments may be changed by written consent of both Participants.

VI
EXCHANGED INFORMATION SECURITY

The Participants ensure that any information obtained in the implementation of this Memorandum will not be disclosed to any third Party without the approval of the other Participant.

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The security of classified information and material in the field of defense to be exchanged or generated under this Memorandum shall be governed by the specific agreement to be signed between the Participants.

VII
SETTLEMENT OF DISPUTES

Any dispute between the Participants arising out of the interpretation or implementation of this Memorandum will be settled amicably by consultations or negotiations, through diplomatic channels, between the representatives of their respective Department/Ministry of Defense. It will not be referred to any court or third Party.

VIII
DURATION AND TERMINATION

This Memorandum does not give rise to any legal obligation within the scope of International Law.

This Memorandum will come up into effect on the date of the last written notification by the Participants, through diplomatic channels, indicating that the domestic requirements for its effectivity have been complied with.

Any amendment or revision to the text of this Memorandum will be done by mutual consent of the Participants. Such amendment or revision will come into effect in accordance with the provision on effectivity.

This Memorandum will remain in effect for a period of five (5) years, and will be renewed for a similar period, unless a Participant officially notifies the other Participant, through diplomatic channels, of its desire to suspend or terminate this Memorandum. In such a case, this Memorandum will remain valid until ninety (90) days after the date on which one Participant receives an official notification from the other Participant expressing the desire of the latter to suspend or terminate the validity of this Memorandum.

Signed in Manila on 3 October 2011, in two original copies in English and Spanish, both texts being equally authentic.

For the Department of
National Defense of
the Republic of the Philippines For the Ministry of Defense of
the Kingdom of Spain

(Sgd.) Honorable Honorio S. Azcueta
Undersecretary for Defense
Affairs (Sgd.) Constantino Mendez Martinez
State Secretary of Defense

Entry into Force: September 8, 2017

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