BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE CHINA COAST GUARD AND THE PHILIPPINE COAST GUARD ON THE ESTABLISHMENT OF A JOINT COAST GUARD COMMITTEE ON MARITIME COOPERATION

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The CHINA COAST GUARD, and The PHILIPPINE COAST GUARD hereinafter referred to collectively as "the Participants" or individually as a "Participant".

Desiring to strengthen understanding, mutual trust and confidence and cooperation between the Participants towards the promotion, preservation and protection of their mutual interests in the South China Sea;

Have agreed on the following understanding:

PARAGRAPH 1

OBJECTIVES AND SCOPE
The objectives and scope of this MOU include:

- To form a Joint Coast Guard Committee (JCGC) to develop maritime programs, projects and activities, and discuss maritime issues relevant to the Participants in the pursuit of their mutual interests;

- To establish a hotline communication mechanism between the Coast Guards of the Philippines and China; and

- To consider possible arrangements between the Participants in accordance with universally recognized principles of international law, and international conventions to which both the Philippines and China are State Parties.

PARAGRAPH 2

IMPLEMENTATION

- Both Participants will be responsible for the identification, coordination,implementation, and monitoring of programs, projects and activities conducted under this MOU.

- The Participants may conclude specific arrangements or annexes, which set out the terms and conditions for the implementation of the areas of cooperation under this MOU. Such arrangements will form an integral part of this MOU.

- The Participants will pay for their own costs in the implementation of this MOU, unless otherwise agreed upon in writing, subject to availability of funds and in accordance with their respective national laws.

- Any information obtained through this MOU will not be disclosed to any third party without the written consent of both Participants.

- The implementation or interpretation of this MOU shall not prejudice the Participants' respective laws,

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policies and positions on marine/maritime issues and concerns, their rights and obligations under generally accepted principles of international law and international conventions and agreements to which they are both State-Parties, including the 1982 United Nations Convention on the Law of the Sea.

PARAGRAPH 3

JOINT COAST GUARD COMMITTEE (JCGC)

- The JCGC will be jointly headed, as Co-chairpersons, by duly authorized senior officials of the Philippine Coast Guard and Chinese Coast Guard.

- The JCGC will be composed of an equal number of representatives from relevant agencies of the country of each Participant. The respective Foreign Ministries of the Participants will be part of the JCGC and its decision-making process.

- The JCGC will develop its own rules, procedures, organizational structure and other administrative details for the efficient operation of the Committee, and implementation of this MOU.

- The JCGC will meet alternately in the Republic of the Philippines and the People's Republic of China at least once a year on a date approved by the Participants.

- The Participants will meet within sixty (60) days after the signing of this MOU for the purpose of organizing the JCGC

PARAGRAPH 4

GENERAL PROVISIONS

- This MOU may be amended at any time by mutual written consent of the Participants given at least three (3) months in advance through diplomatic channels. Such amendment will form an integral part of this MOU and will take effect on such date as may be determined by the Participants.

- Any differences that may arise between the Participants relating to any matter under this MOU will be settled amicably through consultations or negotiations between the Participants.

PARAGRAPH 5

FINAL PROVISIONS

- This MOU will take effect on the date of the later written notification by either of the Participants, through diplomatic channels, indicating that the domestic requirements for its effectivity have been completed.

- This MOU will have provisional effect upon the signing thereof pending the completion of the domestic requirements of the Participants as mentioned in the above paragraph.

- This MOU will remain effective for five (5) years and be automatically renewed for similar periods, unless terminated as provided in the following paragraph.

- This MOU may be terminated at any time by either Participant by giving written notification, through diplomatic channels, to the other Participant at least six (6) months prior to the intended date of termination.

- The termination of this MOU will not affect ongoing programs, projects and activities under this MOU, unless otherwise agreed in writing by the Participants.

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DONE in duplicate in Beijing, China on 20th October 2016, in the English and Chinese languages, both texts being equally authentic.

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For the China Coast Guard

For the Philippine Coast Guard

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