

MEMORANDUM OF UNDERSTANDING ON COOPERATION IN AGRICULTURE AND RELATED FIELDS AND PROMOTION OF AGRICULTURAL TRADE BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE REPUBLIC OF ECUADOR

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The Republic of the Philippines and the Republic of Ecuador, hereinafter referred to as the “Contracting Parties”.

Desiring to strengthen the existing friendly relations between the two countries through the development of cooperation in agriculture and related fields and in the promotion of both countries’ agricultural products:

Hereby agree to undertake cooperative programs and exchanges in the field of agricultural science and technology and promotion of agricultural products through this Memorandum of Understanding (hereinafter referred to as the “Memorandum”), to be implemented as follows:

ARTICLE 1

The Contracting Parties shall promote technical, economic and trade cooperation in the field of agriculture, consistent with the corresponding laws and regulations of their respective countries.

ARTICLE 2

The Contracting Parties shall designate the following entities as executors of this Memorandum:

For the Republic of the Philippines: The Department of Agriculture

For the Republic of Ecuador: The Ministry of Agriculture and Livestock

ARTICLE 3

The Contracting Parties shall undertake joint activities to accomplish the following:

1. To promote development of agricultural science and technological cooperation, and of programs and exchanges in conformity with agricultural laws and policies of both countries. Cooperation will be in the broad areas of livestock; fruits, vegetables and cut-flower production, food processing, agricultural cooperatives, marketing distribution and storage, and other additional fields as agreed upon by the Contracting Parties.
2. To promote international agricultural trade. The Contracting Parties shall endeavor to create favorable conditions for import and export, consistent with international quarantine rules and procedures, without affecting any way the Contracting Parties’ commitments under existing bilateral and multilateral agreements.

ARTICLE 4

Cooperation shall be effected through, but not limited to the exchange of materials and information; the exchange of scientists, experts and trainees; the joint publication of studies and papers; the provision of scholarship programs; the organization of training programs; symposia and conferences; the performance of strategic market

facilitation activities, including agricultural trade fairs and special exhibitions; joint ventures, and other means as may be agreed upon.

A Joint Working Group shall be formed in order to determine the joint activities and to provide guidance, review the process of activities and facilitate cooperation. The Joint Working Group shall meet once every two years, alternately in Ecuador and the Philippines, or any other location agreed upon by the Contracting Parties.

Each Contracting Party shall designate an Executive Secretary who shall be a permanent member of the Joint Working Group.

1. The Executive Secretaries shall meet annually to develop a working program and coordinate administrative and technical details. Likewise, the Executive Secretaries shall establish and maintain regular communication in order to monitor the implementation of activities carried out under the auspices of this Memorandum.

2. The Joint Working Group shall be composed of the following:

Philippine Side

Co-Chairman

- Undersecretary for Policy and Planning
Department of Agriculture (DA)

Members

- DA Bureau Directors and Heads of
Attached Agencies on an on-call basis

Secretario Ejecutivo

- International Relations Division, DA

Ecuadorian Side:

High-ranking officials of the Ministry of Agriculture and the Ecuadorian
Sanitary Service for Agriculture (SESA)
Administrative Area Undersecretary
Undersecretary for Investment and Sector Policy
Executive Director of SESA

ARTICLE 5

With the purpose of generating broad interest and extensive participation, this Memorandum calls for the involvement of other interested government and private sector agencies, the scientific, academic and business communities of both countries. The Contracting Parties shall encourage and facilitate direct contacts between these groups in order to work towards long-term cooperation in programs of research, extension and training, and to intensify potential joint ventures in agribusiness.

ARTICLE 6

Each Contracting Party shall bear the cost of its participation in cooperative activities, unless the Contracting Parties agree on other arrangements. Activities pursuant to the Memorandum are subject to the availability of funds and personnel and to the laws and regulations of the Contracting Parties.

ARTICLE 7

The Contracting Parties agree that the results and other benefits arising from the collaborative program shall be shared mutually and exchanged between the Contracting Parties in accordance with the existing laws, rules and regulations of both countries and the availability of funds. Results of collaborative undertakings may be published in the public interest as mutually agreed upon. The publication may be joint or separate as determined in each specific area.

Joint intellectual properties shall be governed by the guidelines to be set by the Contracting Parties through consultations or negotiations.

ARTICLE 8

Any dispute between the Contracting Parties arising out of the interpretation or implementation of this Memorandum shall be settled by consultations or negotiations through diplomatic channels.

ARTICLE 9

This Memorandum shall be valid for a period of five (5) years and shall be automatically renewed for similar period(s) unless sooner terminated by written notice from either Contracting Party, through diplomatic channels, six (6) months prior to the intended date of termination. The termination of this Memorandum shall be without prejudice of ongoing projects under the same.

ARTICLE 10

This Memorandum shall enter into force on the date of the later written notification by the Contracting Parties, through diplomatic channels, indicating that the domestic requirements for its entry into force have been complied with.

ARTICLE 11

Any amendment or revision to the text of this Memorandum shall be in writing and shall be done by mutual consent of the Contracting Parties. The amendments or revision shall enter into force in accordance with Article 9.

Done in Santiago on March 28, 2001, in two original copies in the English and Spanish language, both texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

FOR THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES

FOR THE GOVERNMENT OF THE
REPUBLIC OF ECUADOR

(Sgd.) ROSARIO G. MANALO

(Sgd.) HEINZ MOELLER FREILE

Undersecretary of Foreign Affairs
and Presidential Special Envoy
to Latin America of the
Republic of the Philippines

Minister of Foreign Affairs

Entry into Force: November 20, 2006

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