

April 27, 2005

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
DEPARTMENT OF TRANSPORTATION AND COMMUNICATIONS OF
THE REPUBLIC OF THE PHILIPPINES AND THE MINISTRY OF
COMMUNICATIONS OF THE PEOPLE'S REPUBLIC OF CHINA ON
MARITIME COOPERATION**

The Department of Transportation and Communications of the Republic of the Philippines and the Ministry of Communications of the People's Republic of China (hereinafter referred to collectively as "the Parties" or individually as "a Party");

STRENGTHENING the good relationship and mutual understanding between maritime agencies of China and the Philippines;

ACKNOWLEDGING the common interest in establishing a lasting framework for maritime cooperation;

IN THE SPIRIT of laying solid foundations for lasting cooperation in the maritime sector;

Pursuant to the principles under Joint Communique of the Government of the People's Republic of China and the Government of the Republic of the Philippines signed in Beijing on June 9, 1975 when establishing diplomatic relations between the two countries.

HAVE AGREED AS FOLLOWS:

**ARTICLE I
OBJECTIVE**

On the basis of equality, mutual benefit and reciprocity, the Parties shall cooperate in the maritime sector within their respective purview and in accordance with their respective applicable national laws and regulations, and where applicable, international treaties and conventions to which the Parties are signatories.

**ARTICLE II
AREAS OF COOPERATION**

The Parties shall promote the following areas for cooperation:

1. MARITIME SAFETY. The Parties shall cooperate in the implementation within the framework of relevant International Maritime Organization (IMO) conventions on safety of navigation at sea, and search and rescue at sea, with the assistance of other maritime agencies in both countries.
2. MARINE ENVIRONMENTAL PROTECTION AGAINST POLLUTION. The Parties shall undertake cooperation within the IMO framework on the management of ship's ballast water and marine environmental protection against pollution from ships.
3. PORT STATE CONTROL. The Parties shall undertake closer cooperation on port state control, in line with the amended Tokyo Memorandum of Understanding on

Port State Control in the Asia-Pacific Region, in so far as the respective Parties are parties thereto.

4. HUMAN RESOURCES DEVELOPMENT. The Parties shall cooperate in personnel-exchange; mutual visits, holding of workshops or seminars on subjects of common interest in the maritime sector. Subjects may cover, but not limited to, the following areas

- a) Traffic Separation Scheme or Routing Scheme, VTS, AIS, ENC, Aids to Navigation
- b) Techniques and equipment on Maritime search and rescue
- c) Port State Control
- d) Precautions for oil pollution at sea and responses
- e) Management on ship's ballast water
- f) Implementation of relevant International Maritime Organization (IMO) conventions on seafarers
- g) Marine scientific research and experimentation in relation to marine environment protection.

5. INFORMATION EXCHANGE. The Parties shall cooperate in the exchange of information on maritime development. The information may cover, but not limited to, the following areas:

- a) Policies and views while attending meetings by international or regional organizations such as IMO, IALA, Tokyo MOU;
- b) Formulation or amendment on their respective national laws and regulations;
- c) Special measures on navigation management and pollution prevention from ships;
- d) Regulations on seafarers going ashore; and
- e) Notification and investigation on maritime accidents.
- f) Activities and studies related to marine scientific research and experimentation in relation to marine environment protection.

6. OTHER AREAS OF COOPERATION. The Parties shall, with mutual consent, also cooperate in any other areas of the maritime sector.

ARTICLE III IMPLEMENTATION

1. Philippine Coast Guard under the Department of Transportation and Communications of the Republic of the Philippines and China Maritime Safety Administration under the Ministry of Communications of the People's Republic of China shall be the agencies responsible for the identification, coordination, implementation and monitoring of projects and activities conducted pursuant to this Memorandum of Understanding.