

**Agreement Concerning the Facilitation of Cooperation on
Law Enforcement in Fisheries Matters between
The Taipei Economic and Cultural Office in the Philippines and
The Manila Economic and Cultural Office in Taiwan**

The Taipei Economic and Cultural Office in the Philippines (TECO) and the Manila Economic and Cultural Office in Taiwan (MECO), herein referred to as the "Parties";

Desiring to facilitate the effective cooperation between the law enforcement authorities of both Parties on fisheries matters by establishing a mechanism on the basis of mutual respect, reciprocity, and mutual benefit;

Adhering to their respective laws, regulations as well as international law and practice;

Have concluded an understanding as follows:

Article 1

Scope of cooperation

1. The Parties shall, in accordance with this Agreement and their respective laws, exert best efforts to provide mutual assistance through their respective relevant authorities in connection with law enforcement proceedings related to fisheries matters.
2. Such cooperation shall include:
 - a) establishing a law enforcement cooperation mechanism;
 - b) establishing an emergency notification system;

- c) establishing a prompt release mechanism;
- d) any other form of cooperation consistent with their respective laws.

Article 2

Avoiding the use of violence or unnecessary force

The relevant authorities of the Parties shall avoid using violence or unnecessary force in the implementation of their fisheries laws and other relevant regulations consistent with international law and practice.

Article 3

Establishment of a law enforcement cooperation mechanism

1. For the establishment of a law enforcement cooperation mechanism, the Parties agree to respectively undertake the following:
 - a) Set up special contact windows and hotlines.
 - b) Notify, without delay, the other Party when a fishing boat of the other Party is in breach of the provisions of the Agreement and of the action taken by its law enforcement agencies against fishing vessels from the other Party. The other Party shall respect the notifying Party's notification.
 - c) Provide the other Party with a results report of the law enforcement action taken against said Party's fishing vessel.
 - d) Formulate other concrete measures of cooperation, including sharing of law enforcement methods and procedures and relevant laws and regulations.
2. The Parties shall advise their respective law enforcement

agencies to observe the international law and practice of not using imprisonment or any other form of corporal punishment in the implementation and enforcement of fisheries laws and regulations and of the need of clear markings and identification in their vessels.

Article 4

Establishment of an emergency notification system

1. The Parties shall update and confirm the contact windows and hotlines of their respective fisheries agencies and establish contact windows and hotlines for their competent coast guard agencies.
2. When relevant authorities of one Party takes law enforcement action against fishing vessels from the other Party, the first party shall, without delay, inform the pertinent fisheries and coast guard agencies of the other Party of the methods, procedures, and follow-up measures employed, to which information such other Party may convey its reply.
3. Both Parties confirm the implementing details of the emergency notification system, including time of notification, timeframe in which notification must be given, notification methods, and notification procedures.

Article 5

Establishment of a prompt release mechanism

1. Both Parties confirm the procedures for the prompt release of arrested fishing vessels and their crew.
2. Procedures for the prompt release of arrested vessels:

- a) When the relevant authority of one Party arrests a fishing vessel from the other Party, the first party shall without delay inform the other Party of the arrest.
 - b) The arrested vessel and its crew shall be released without delay after posting of a reasonable bond or other security consistent with international law and practice, or the payment of fine in accordance with the law of the Party, whose relevant authority made the arrest.
 - c) The arrested vessel and its crew shall be treated in an appropriate manner during the period of detention.
3. The Parties shall inform their respective relevant authorities of the procedures for prompt release of arrested vessels and their crew.
 4. The Parties shall share with each other the maritime, fisheries, and conservation laws and regulations their respective relevant authorities refer to when taking law enforcement action, as well as the time, procedures, content and methods of these actions.

Article 6

Consultations

1. Both Parties shall consult each other to promote the most effective use of this Agreement, and provisional arrangement on fisheries cooperation, including management and conservation scheme for fishery operations, and their respective maritime monitoring areas. The Parties may also agree on such practical measures as may be necessary to facilitate the implementation of

this Agreement.

2. Both Parties shall establish a Technical Working Group (TWG) composed of an equal number of representatives from both Parties as may be agreed upon.
3. Both Parties, through the TWG, shall determine in detail the cooperation schemes and ways to implement the areas of cooperation mentioned in this Agreement.
4. The TWG shall meet annually, alternately hosted by each Party, with the representative from the host as chairman of the meeting. Whenever necessary, an interim meeting or consultation may be held subject to the agreement between both Parties.
5. The agenda of the meeting shall be mutually agreed upon by both Parties prior to the scheduled TWG or interim meetings.

Article 7

Effectivity, amendment and termination

1. This Agreement shall be effective thirty (30) days after the signing of this Agreement.
2. This Agreement may be amended upon the mutual written consent of both Parties.
3. Either Party may terminate this Agreement by means of a written notice to the other Party. Termination shall take effect six (6) months following the date of receipt of such notification.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE in duplicate in Taipei on the 5th day of November, 2015, in the Chinese and English languages, both versions being equally authentic.

Signed by

Taipei Economic and Cultural
Office in the Philippines

Manila Economic and Cultural
Office in Taiwan

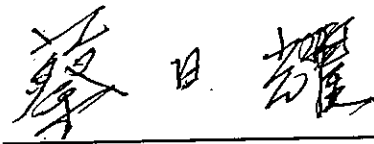


Gary Song-Huann Lin
Representative

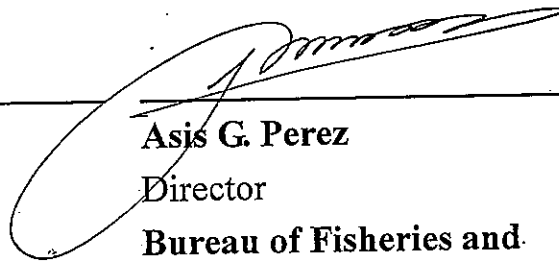


Antonio I. Basilio
Resident Representative


Signed in the presence of :



Tsay, Tzu-Yaw
Director-General
Fisheries Agency
Council of Agriculture



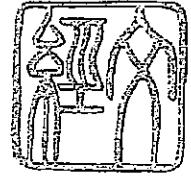
Asis G. Perez
Director
Bureau of Fisheries and
Aquatic Resources



Amadeo R. Perez, Jr.
Chairman
Manila Economic and Cultural Office

*Manila Economic
and Cultural Office*

菲律賓駐台代表處



Our Ref: MM15-11-____
November 5, 2015

HON. GARY SONG-HUANN LIN
Representative
Taipei Economic and Cultural Office
in the Philippines
41/F Tower 1, RCBC Plaza
Ayala Avenue, Makati City

Dear **Representative Lin**:

I wish to propose that Attachments A and B, discussed and agreed by both sides during the First Technical Working Group (TWG) meeting on 5th November 2015 in the implementation of the Agreement (Facilitation of Cooperation on Law Enforcement in Fisheries Matters between MECO and TECO) be formally adopted by way of this Exchange of Letters and made part of the Agreement.

If this proposal is acceptable to your side, this letter and your letter in reply shall constitute an understanding between MECO and TECO, effective on the date of your reply.

With my best wishes.

Very truly yours,

ANTONIO I. BASILIO
Resident Representative

馬尼拉經濟文化辦事處白熙禮代表致駐菲律賓臺北經濟文化辦事處林松煥代表信函（中譯本）

2015 年 11 月 5 日

林松煥代表
駐菲律賓臺北經濟文化辦事處
瑪卡迪市愛雅納大街
RCBC 廣場第一棟大樓 41 樓

林代表勳鑒：

本人謹提議將貴我雙方於本（2015）年 11 月 5 日舉行之第一次技術工作小組會議中所討論並達成協議之為執行《馬尼拉經濟文化辦事處與駐菲律賓臺北經濟文化辦事處間有關促進漁業事務執法合作協定》之附件 A 及附件 B，經由本換函予以正式採認並作為協定之一部分。

若貴方可以接受上述提議，本信函及貴代表的表示同意之覆函應構成馬尼拉經濟文化辦事處及駐菲律賓臺北經濟文化辦事處間的一項瞭解，並自貴方覆函之日起生效。

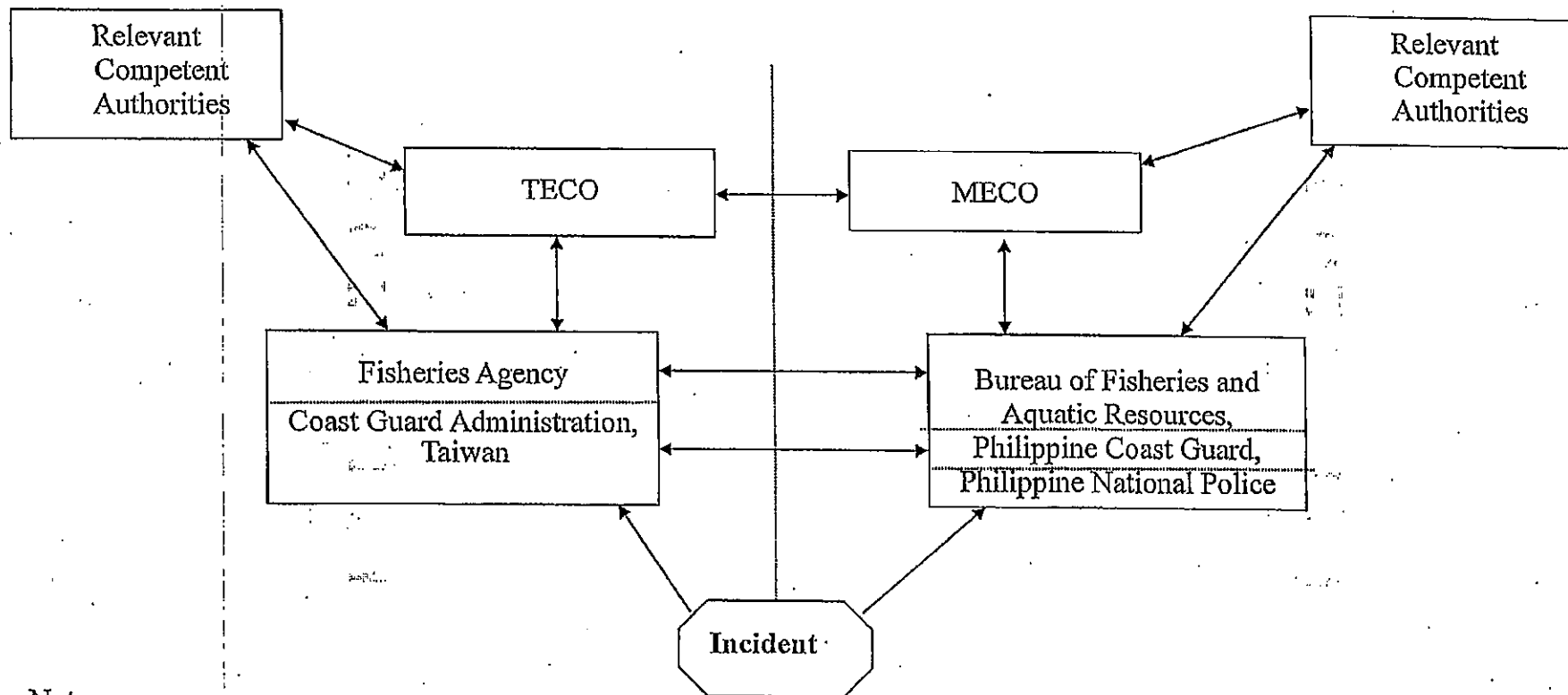
敬祝 大安

白熙禮 代表 敬上

Attachment A

MECO-TECO NOTIFICATION
MECHANISM

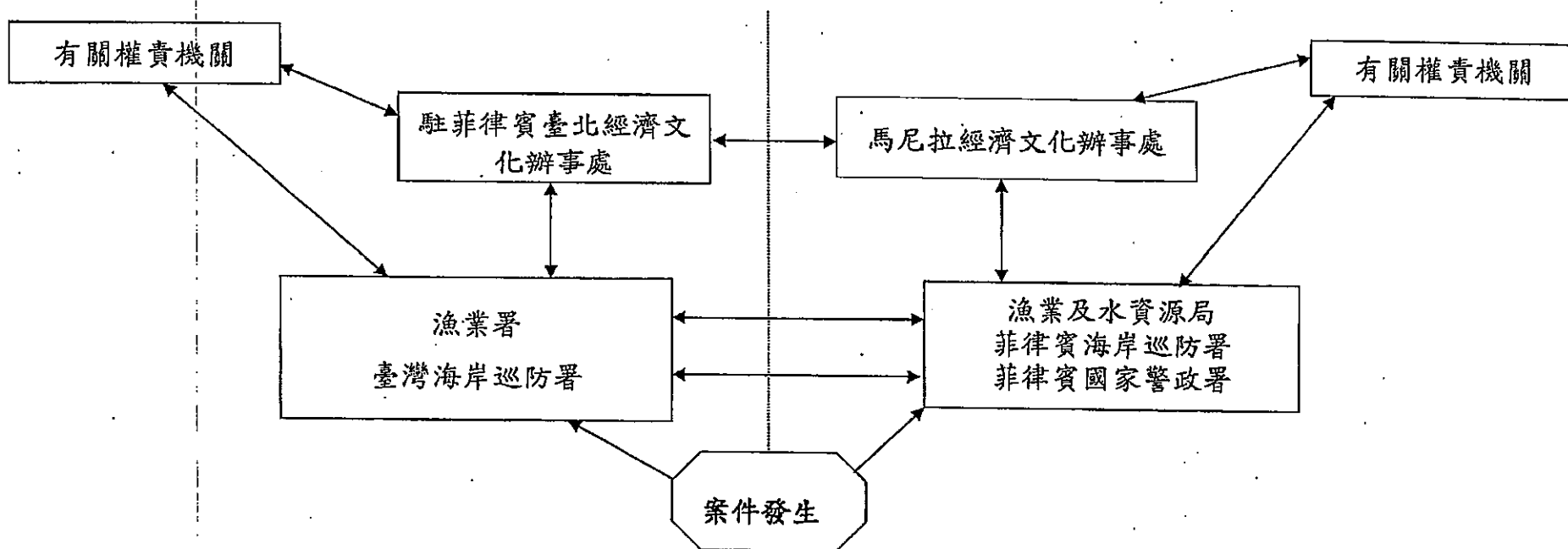
Notification Mechanism for Law Enforcement Actions on Taiwan or Philippine Registered Fishing Vessels



Notes:

1. The emergency notification mechanism will deal mainly with cases of fishing boat violations that require assistance from the other party.
2. Both parties will provide the name, emergency telephone number, fax number, and email address of their respective contact personnel.

臺菲漁船執法行動通報機制

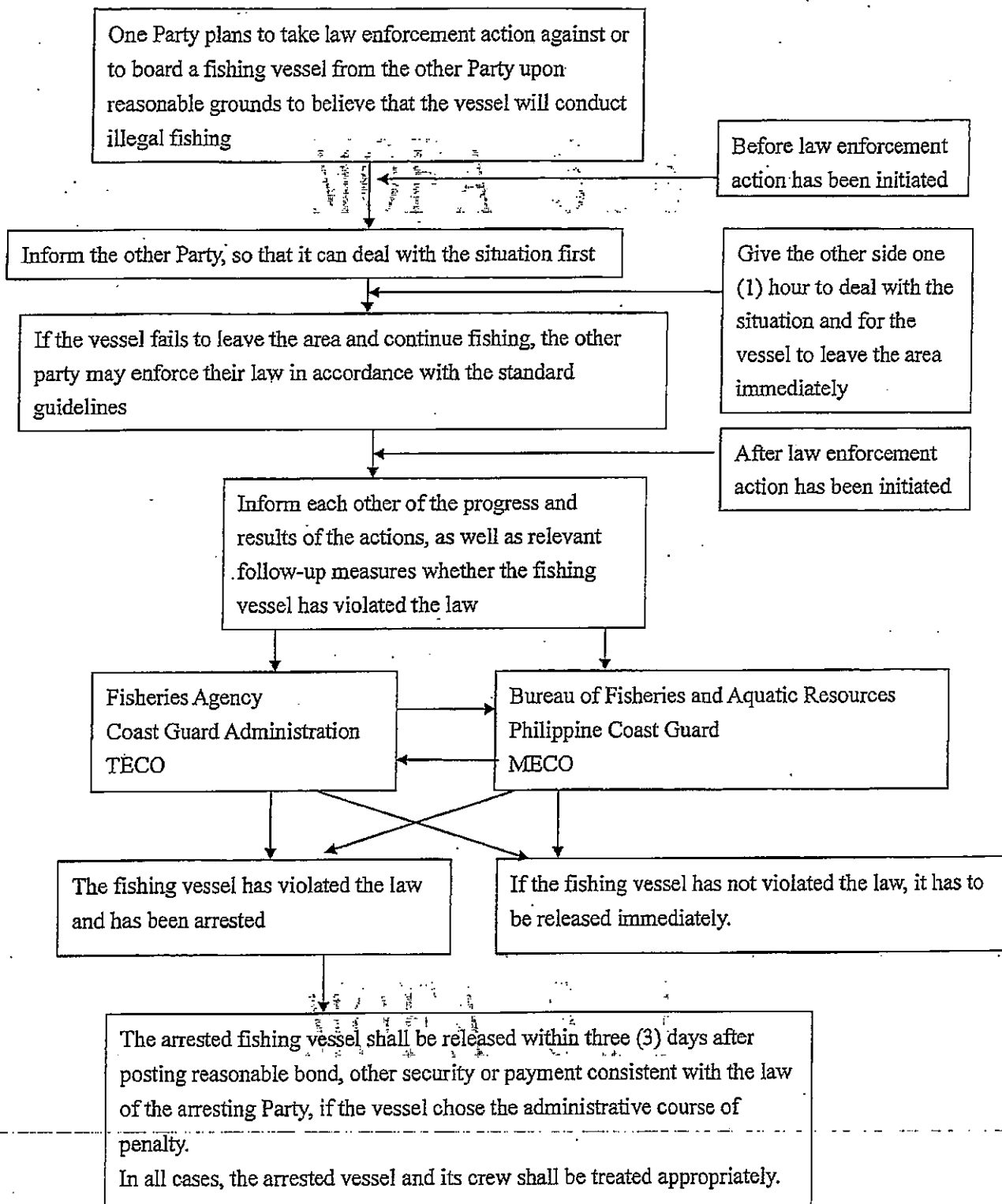


說明：

1. 本緊急通聯機制主要將處理需他方協助處理之漁船違規作業案件。
2. 雙方將提供各自聯繫人員之姓名、緊急連絡電話、傳真號碼及電子郵件地址。

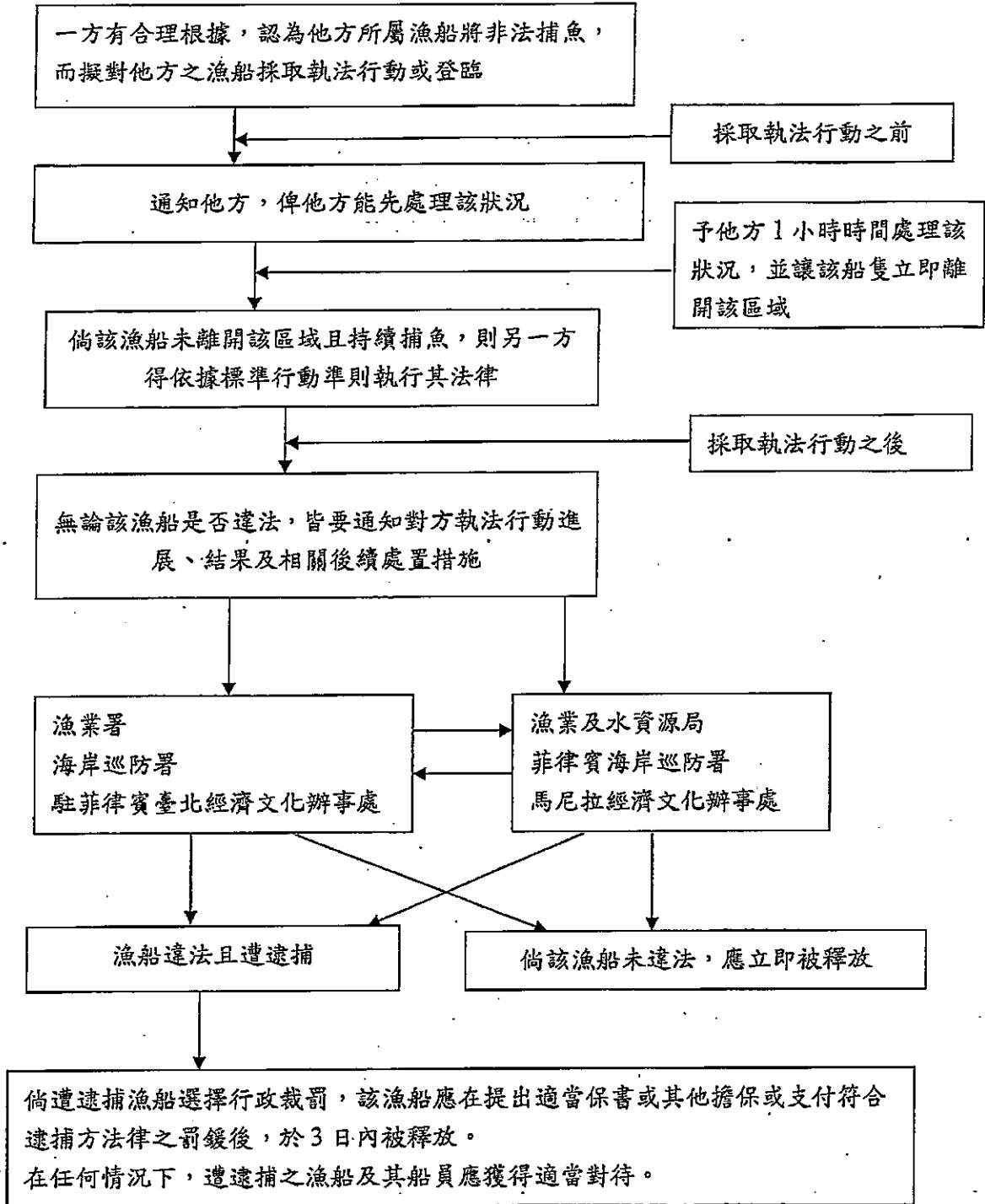
Attachment B

Emergency Notification and Prompt Release Procedures for TECO and MECO fishing vessels in the Exclusive Economic Zone



附件 B

在專屬經濟海域內臺菲漁船緊急通報及迅速釋放流程



TAIPEI ECONOMIC & CULTURAL OFFICE, TAIWAN, ROC

41st Floor, Tower I, RCBC Plaza
6819 Ayala Avenue, Makati City, Metro Manila, Philippines 1200
Tel. No.: 887-6688

5th November, 2015

Hon. Antonio I. Basilio

Managing Director and Resident Representative
Manila Economic and Cultural Office in Taiwan
11/F, No. 176 Chang Chun Road
Taipei City, Taiwan, ROC

Dear Representative Basilio,

I have the honour to acknowledge receipt of your letter dated 5th November 2015 in regard to the adoption of the Attachments A and B by our two sides during the First Technical Working Group (TWG) meeting on 5th November 2015 in Taipei in the implementation of the Agreement Concerning the Facilitation of Cooperation on Law Enforcement in Fisheries Matters between the Manila Economic and Cultural Office (MECO) in Taiwan and the Taipei Economic and Cultural Office (TECO) in the Philippines, which reads as follows:

“I wish to propose that Attachments A and B, discussed and agreed by both sides during the First Technical Working Group (TWG) meeting on 5th November 2015 in the implementation of the Agreement (Facilitation of Cooperation on Law Enforcement in Fisheries Matters between MECO and TECO) be formally adopted by way of this Exchange of Letters and made part of the Agreement.

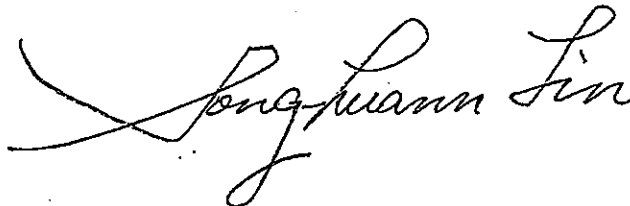
TAIPEI ECONOMIC & CULTURAL OFFICE, TAIWAN, ROC

41st Floor, Tower I, RCBC Plaza
6819 Ayala Avenue, Makati City, Metro Manila, Philippines 1200
Tel. No.: 887-6688

If this proposal is acceptable to your side, this letter and your letter in reply shall constitute an understanding between MECO and TECO, effective on the date of your reply”

In reply, I have the honour to accept, on behalf of TECO, the foregoing proposal and to confirm that the aforesaid letter and this reply letter shall constitute an understanding between TECO and MECO, effective on this date.

Accept, Honourable Representative, the assurances of my highest consideration.

A handwritten signature in cursive script, reading "Song-Huann Lin". The signature is written in black ink and is positioned above the printed name and title.

Dr. Gary Song-Huann Lin
Representative

駐菲律賓臺北經濟文化辦事處林松煥代表致馬尼拉經濟文化辦事處白熙禮代表覆函（中譯本）

2015年11月5日

白熙禮代表
馬尼拉經濟文化辦事處
中華民國臺灣臺北市長春路176號11樓

白代表勛鑒：

貴代表本（2015）年11月5日來函述及貴我雙方於同日在臺北舉行之第一次技術工作小組會議中，所採認之為執行《馬尼拉經濟文化辦事處與駐菲律賓臺北經濟文化辦事處間有關促進漁業事務執法合作協定》附件A及附件B乙節敬悉，該函內容為：

「本人謹提議將貴我雙方於本（2015）年11月5日舉行之第一次技術工作小組會議中所討論並達成協議之為執行《馬尼拉經濟文化辦事處與駐菲律賓臺北經濟文化辦事處間有關促進漁業事務執法合作協定》之附件A及附件B，經由本換函予以正式採認並作為協定之一部分。

若貴方可以接受上述提議，本信函及貴代表的表示同意之覆函應構成馬尼拉經濟文化辦事處及駐菲律賓臺北經濟文化辦事處間的一項瞭解，並自貴方覆函之日起生效。」

本人謹代表駐菲律賓臺北經濟文化辦事處回覆大函，並同意上述提議，確認上述來函及本覆函應構成貴我兩代表處之一項瞭解，並自本日起生效。

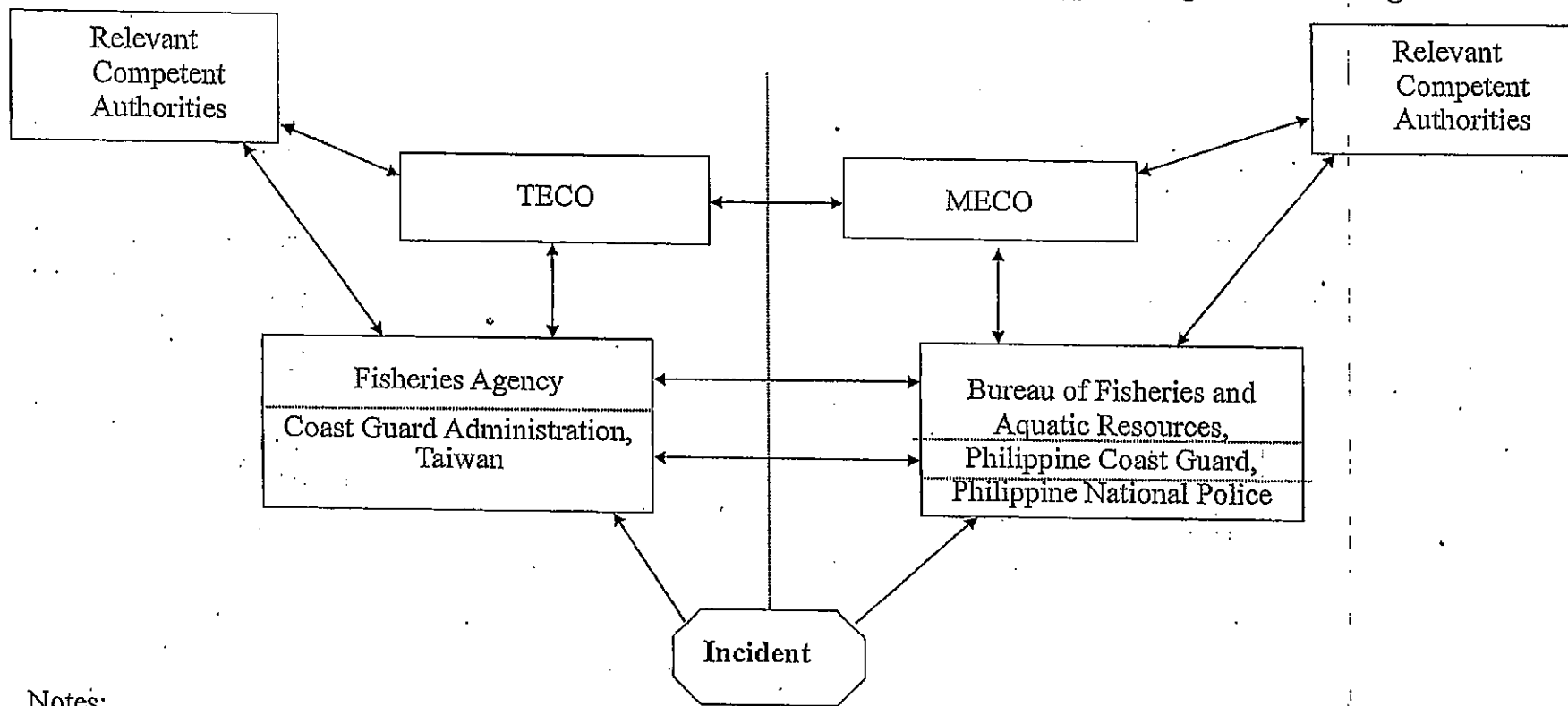
本代表順向貴代表致上最崇高之敬意。

林松煥 代表

Attachment A

**MECO-TECO NOTIFICATION
MECHANISM**

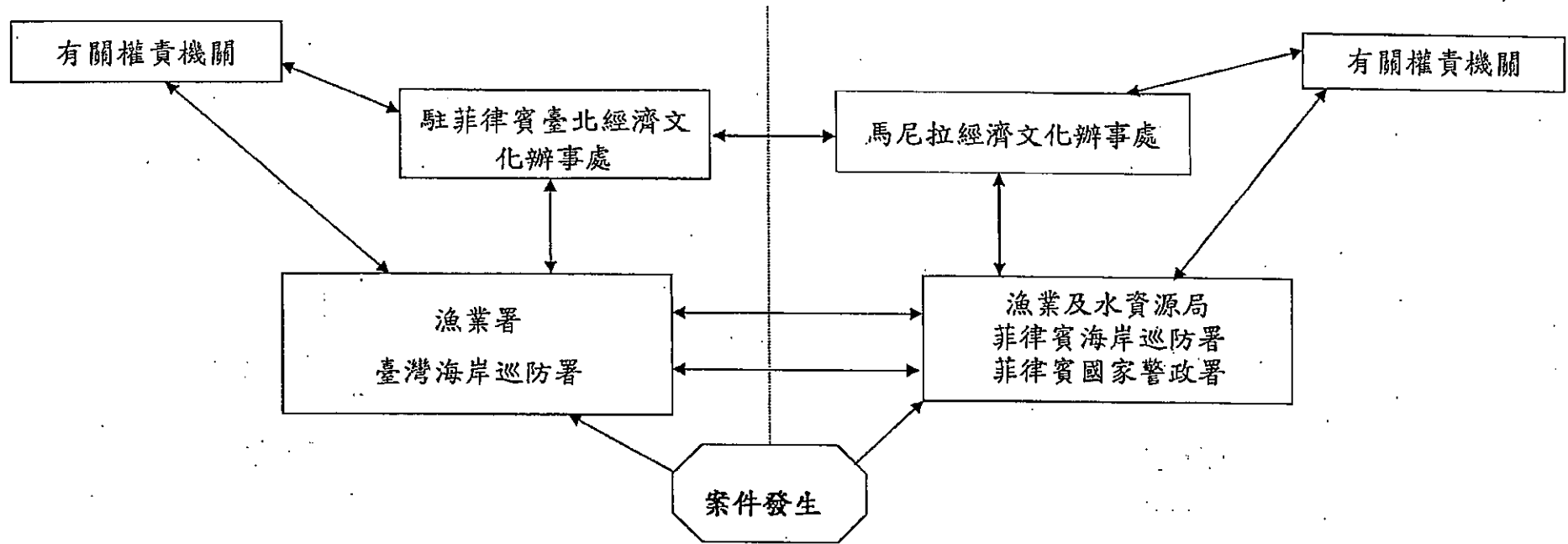
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臺菲漁船執法行動通報機制

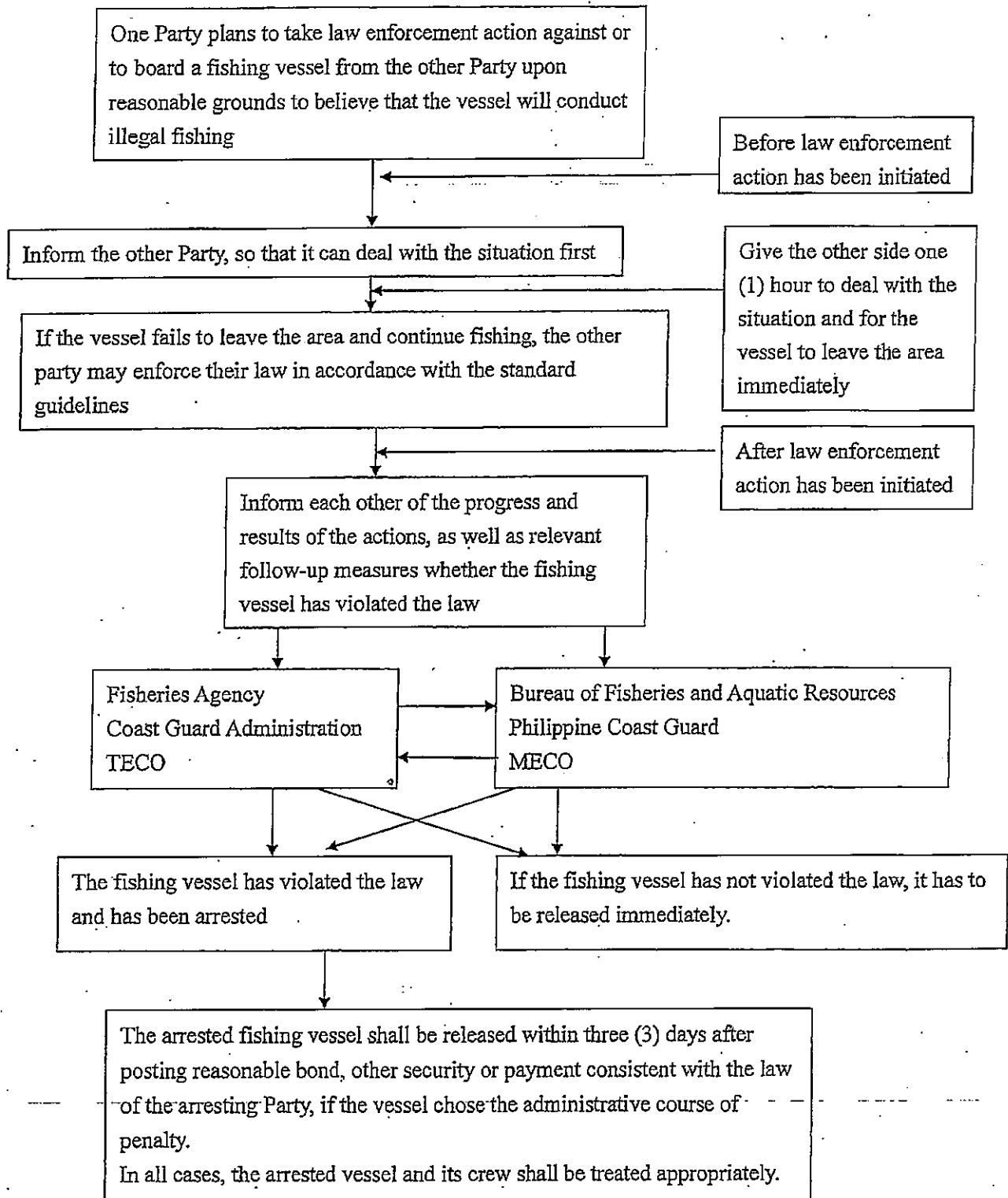


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Attachment B

Emergency Notification and Prompt Release Procedures for TECO and MECO fishing vessels in the Exclusive Economic Zone



附件 B

在專屬經濟海域內臺菲漁船緊急通報及迅速釋放流程

