

ANNEX A

PHILIPPINE COUNTER DRAFT

JOINT STATEMENT ON THE ESTABLISHMENT OF A STRATEGIC PARTNERSHIP BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE SOCIALIST REPUBLIC OF VIET NAM

I. PREAMBLE

1. The Republic of the Philippines and the Socialist Republic of Viet Nam share long-standing ties deeply rooted in historical and cultural linkages between our peoples. Since its formal establishment on 12 July 1975, the two countries have enjoyed warm bilateral relations based on amity, equality, mutual respect and the recognition of the need to cooperate for the benefit of the peoples of both nations.
2. Cognizant of the evolving political, economic and security architecture in the region, the dynamic effects of an increasingly globalized, interlinked and interdependent world economy in light of the consolidation of the ASEAN Community, the Philippines and Viet Nam, through friendly consultations, have agreed to establish a Strategic Partnership with a view to elevate the level and intensity of bilateral exchanges between the two countries; to harness advantages for common development; and cooperate to meet emerging challenges.
3. This agreement was reached by H.E. Benigno S. Aquino III, President of the Republic of the Philippines and H.E. Truong Tan Sang, President of the Socialist Republic of Viet Nam during a bilateral meeting at the sidelines of the Asia Pacific Economic Cooperation-Economic Leaders Meeting on 09 November 2014 in Beijing, China.
4. The Philippines and Viet Nam establish this partnership while reaffirming ASEAN centrality in the promotion and maintenance of peace, stability and security in the region. The two sides agree to enhance cooperation in line with ASEAN commitment to foster a rules-based ASEAN Community with shared values and norms and a cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security.
5. It shall build upon and enhance existing bilateral mechanisms, operationalize concluded agreements and seek even newer avenues to deepen cooperation in various fields. It shall also conform to the principles of the Charters of the United Nations and the Association of Southeast Asian Nations, the Treaty of Amity and Cooperation in Southeast Asia and other universally-recognized norms of International Law, as well as respect the laws, independence, sovereignty and territorial integrity of both countries.
6. In order to carry out the vision of this Strategic Partnership, the Philippines and Viet Nam will endeavor to embark on the following:

II. POLITICAL COOPERATION

7. Increase the frequency and diversify the modes of bilateral exchanges at all levels, including heads of state and government, departments/ministries and other national agencies, the Legislature, local government units and technical working groups.
8. Recognize the Joint Commission for Bilateral Cooperation (JCBC), led by the Foreign Ministries of both sides, as the primary mechanism for discussing the details of bilateral cooperative activities. The JCBC shall also be the forum to formulate and review implementation of programs and activities under the Philippines-Viet Nam Action Plan, which, from now on, shall be done every six years.
9. With the JCBC as the primary political mechanism, other more focused joint commissions or mechanisms may be put in place between relevant agencies of both countries in order to carry out other goals under the Strategic Partnership.

III. ECONOMIC COOPERATION

10. Endeavor to increase bilateral trade in goods and services in to achieve a landmark trade volume figure in time for the 40th anniversary of the establishment of Philippines-Viet Nam diplomatic ties in 2018 and realize significant and sustained increase in bilateral trade volume beyond 2018.
11. In line with these goals, resume the convening of the Philippines-Viet Nam Joint Commission on Trade (JCT) and reactivate the Philippines-Viet Nam Business Council. Endeavor to enhance economic cooperation, through countertrade, exchanges of business missions, encouraging attendance to trade fairs, sharing of information and experiences in trade and economic development. Intensify experience sharing and dialogue on macro-economic policies, as well as on negotiation for Free Trade Agreements (FTA) and domestic preparations to implement FTAs, among other related economic cooperation activities.
12. Continue the successful collaboration in rice trading through strengthening partnerships between and among the concerned government agencies. Furthermore, to ensure food security and sustainable rural development, the two countries will seek to promote cooperation and experience sharing in agriculture and application of advanced bio-technology in order to increase productivity and quality of agricultural output.
13. Seek opportunities to explore avenues for cooperation to enhance energy security and diversifying the energy mix to include capacity building through exchange of experts.
14. In accordance with the laws of the Philippines and Viet Nam, seek investment opportunities in the oil and gas industry, including oil in downstream, midstream and upstream areas, coal, infrastructure development for power

production, renewable and alternative energy sources. Explore cooperation potential in developing joint capabilities in production and promotion the consumption of clean and alternative energy, especially in transportation as well as for trade and industry purposes.

IV. DEFENSE, SECURITY, JUDICIAL AND LAW ENFORCEMENT COOPERATION

15. Sustain regular meetings of the Philippines-Viet Nam Defense Cooperation Working Group at the Assistant Secretary- / Director General-level on an annual basis, with a further commitment to establish the Philippines-Viet Nam Defense Strategic Dialogue, to be convened biennially at the Vice Minister-level.
16. Make full use of existing joint mechanisms and agreements to intensify cooperation between their armed services. To this end, joint confidence- and capacity-building activities will be conducted leading to the eventual holding of actual joint exercises between the two navies, the timing and modalities of which shall be subject to future discussion.
17. Increase cooperation to enhance the capability of both sides to combat traditional and non-traditional threats to security, including present and future threats of transnational crime. Cooperation between the Philippines' Department of Interior and Local Government, Philippine National Police, Philippine Center on Transnational Crime and National Security Council and Vietnam's Ministry of Public Security, (please insert other appropriate counterpart VN agencies here) will be explored. Joint activities between these and other related agencies may include: conduct of regular joint working group meetings, dialogues at the Vice Minister-level, exchange of information and best practices, as well as exchanges of delegations for training and capacity building, among others.
18. Work towards enhancing cooperation in legal and judicial affairs. Jointly work on the signing of agreements on extradition, transfer of sentenced persons, mutual legal assistance in criminal matters, among other legal and judicial cooperation agreements.

V. MARITIME AND OCEAN AFFAIRS COOPERATION

19. As maritime and ocean issues are a vital aspect of bilateral cooperation, strengthen bilateral and regional cooperation between and among maritime law enforcement and maritime safety administration agencies through dialogue and coordination, practical cooperation and capacity-building activities.
20. Convene the Philippines-Viet Nam Joint Commission on Maritime and Ocean Cooperation at the Vice-Minister level at least once every two years, and hosted alternately between the two countries. Through the Joint Commission, develop projects and activities to promote cooperation in all aspects of maritime and ocean affairs taking into account their obligations under

international law particularly UNCLOS. The Joint Commission shall conduct regular monitoring on the incremental progress of the agreed projects.

21. Abide by a rules- and norms-based approach in promoting a stable maritime security and maritime safety regime and promote the harmonized implementation in the region of universally-accepted norms and conventions, including conventions and regulations of the International Maritime Organization and related organizations, whenever applicable, to ensure the safety of life, property and good order at sea.
22. Continue initiatives between the Philippine Coast Guard and the Viet Nam Coast Guard, including but not limited to maintaining the hotline between both agencies, and undertaking regular assessment on the status of implementation of existing cooperation agreements on Oil Spill Preparedness and Response, Maritime Safety and Maritime Search and Rescue.
23. Continue to enhance existing cooperation arrangements in the field of fisheries to include such activities as exchange of experts and information on marine aquaculture techniques and capacity-building for fishermen to ensure the protection and sustainable management of the marine resources within their respective maritime jurisdictions and in accordance with the applicable laws.
24. Maintain the hotline between the Philippines' Bureau of Fisheries and Aquatic Resources and Viet Nam's Department of Fisheries Resources Surveillance to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing (IUUF) and ensure the protection of the rights and welfare of fishermen from both countries that may be involved in such cases.
25. Conduct joint scientific studies in the South China Sea (SCS); revisit and update the Agreement on Maritime Merchant Shipping signed in 1992; and, in partnership with the Philippines' Department of Environment and Natural Resources under its Sustainable Coral Reef Ecosystem Management Program, strengthen governance of marine protected areas, through eco-tourism, cooperation in marine ecosystem and biodiversity conservation, among others.

VI. SCIENTIFIC AND OTHER TECHNICAL COOPERATION

26. Recognizing the need to enhance scientific knowledge and technological knowhow in the building of the knowledge-based economies of the future, push for the convening of the Joint Working Group on Science and Technology in order to enhance cooperation in priority areas to be identified by the relevant agencies.
27. Establish a Technical Working Group on Marine Hydro-Meteorology composed of the relevant agencies of both countries and convene its biannual meeting at a mutually convenient time and venue in order to develop projects and programs that will enhance cooperation in this scientific field. Such

programs may include exchange of experts in environmental management, and exchange of data.

28. As Strategic Partners both vulnerable to natural and man-made disasters, push for closer cooperation in disaster prevention and mitigation, disaster prevention, disaster response and disaster rehabilitation and recovery, including through the conclusion of a Philippines-Viet Nam Protocol on Humanitarian Assistance and Disaster Relief, which will allow for facilitation of cooperation in rescue and relief operations in the event of disasters.

29. Cognizant of the global importance of climate change issues, pursue information and technical cooperation on climate change research, adaptation measures, coping mechanisms, and best practices, including participation in exchange programs on sustainable environmental conservation and management. Sustain engagement in discussions on climate change as a strategic global issue, with a view to successfully concluding the negotiations of the United Nations Convention on Climate Change Conference of Parties.

VII. SOCIO-CULTURAL COOPERATION

30. Pursue the strengthening people-to-people cooperation through the Viet Nam-Philippines Friendship Association (established in August 2014) and the Philippines-Viet Nam Friendship Association (established in October 2014), as well as the conclusion of twinning arrangements between cities and provinces of the two countries.

31. Work towards conclusion of an agreement to open up programs for exchanges of students, researchers, trainers, faculties, and other experts in technical and vocational education; and allow for the pursuit of comparability, benchmarking and mutual recognition of education and academic qualifications. Particularly, development of training and exchange programs for teaching and learning of the English and Vietnamese languages may be pursued. Promote joint research in academic fields to include history, culture and the arts.

32. Within the framework of the Philippines-Viet Nam Protocol on Cultural Cooperation, endeavor to heighten the exchange of artists, cultural workers, and cultural promotion materials. One area for development is to encourage heightened exchanges between the creative industries of both countries such as film and cinema.

33. To broaden existing tourism cooperation, work towards the promotion of a cruise development program, promotion of a mutual recognition arrangement of tourism professionals, as well as encourage the two countries' airlines to open more direct flight routes and frequencies.

VIII. MULTILATERAL COOPERATION

34. Increase exchange of views, cooperation, coordination and mutual support in regional and international cooperation mechanisms, as well as attach high importance to joint efforts towards the realization of the ASEAN Community in 2015 and implement the ASEAN vision beyond 2015; enhancing ASEAN's centrality in an inclusive regional architecture.
35. Reaffirm their commitment to resolve territorial and jurisdictional disputes by peaceful means, as well as to the freedom of navigation in and over flight above the South China Sea, all in accordance with universally-recognized principles of international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS).
36. Reaffirm their commitment to handle difference on the South China Sea in a constructive manner, without resorting to the threat or use of force, and to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from actions of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features.
37. Pursue, in consultation with ASEAN and China, the full and effective implementation of the ASEAN-China DOC, and the early launch of official negotiations of a Code of a Conduct in the South China Sea.
38. Push for greater cooperation in disaster risk reduction and management using the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) as the primary guiding framework, and to contribute to the enhanced operationalization of the ASEAN Coordinating Centre for Humanitarian Assistance and Disaster Management (AHA Centre).
39. Proactively strengthen and effectively participate in the ASEAN Maritime Forum (AMF) and relevant regional forums and make use of these forums to enhance maritime cooperation as well as discuss measures to ensure maritime security and safety and freedom of navigation in the South China Sea, mobilize knowledge and assistance from maritime legal experts to put forward solutions to challenges and emerging maritime issues, contributing to peace, security and development in the region.
40. Reaffirm their commitment to global peace and security in line with the purposes and principles of the Charter of the United Nations. Further reaffirm the importance of an effective multilateral system and undertake to pursue closer cooperation and coordination in a wide range of issues and interconnected challenges confronting the international community, in accordance with international law. These include, but are not limited to, environmental protection, climate change, human rights, gender equality, protection of vulnerable groups, transnational crime, proliferation of weapons of mass destruction, good governance and multifaceted peacekeeping and peace-building operations.

41. Under the aegis of multilateral forums and in conformity with international law, both sides will also strive to promote effective cooperation and experience sharing in the resolution of traditional and non-traditional security challenges, in accordance with the principles of rule of law, sovereignty, territorial integrity and political independence.
42. Increase the exchange of views, coordination and mutual support in APEC, including through the ASEAN Caucus, on policy initiatives and projects that advance trade and investment liberalization, business facilitation, and economic and technical cooperation. Work closely to successfully organize important international events, including APEC 2015 in the Philippines and APEC 2017 in Vietnam.
43. Strengthen coordination and mutual support for the WTO by reiterating the value, centrality and primacy of the multilateral trading system in promoting economic growth and development.

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