



**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF CHILE
AND
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA
ON
FISHERIES AND AQUACULTURE COOPERATION**

The Government of The Republic of Chile and the Government of the Republic of Indonesia, hereinafter referred to jointly as “the Parties”.

CONSIDERING the existing common desire on friendly cooperation relations between two countries;

REALIZING that fisheries and aquaculture products marketing cooperation would lead to common benefits of the Parties;

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea (UNCLOS 1982) and the common concern of the Parties on the conservation, management and sustainable utilization of marine living resources;

AIMING to promote the cooperation of the Parties in the field of fisheries and aquaculture on the basis of equity and mutual respect;

REALIZING the importance of continuing cooperation in the field of fisheries and aquaculture after the expiration of the Memorandum of Understanding between the Government of the Republic of Indonesia and the Government of the Republic of Chile on Marine and Fisheries Cooperation Development, signed at Santiago, on March 17th, 2003;

NOTING the Agreement between the Government of the Republic of Indonesia and the Government of the Republic of Chile on Economic and Technical Cooperation, signed at Jakarta, on April 28th, 2004;



REFERRING to the Memorandum of Understanding between the Government of the Republic of Indonesia and the Government of the Republic of Chile on the Establishment of Bilateral Consultations, signed at Santiago, on March 25th, 2002;

Pursuant to the prevailing laws and regulations in both countries

HAVE AGREED as follows:

ARTICLE I OBJECTIVE

The objective of this Memorandum of Understanding is to set up a framework for the enhancement of cooperation between the Parties in the field of fisheries and aquaculture.

ARTICLE II AREAS OF COOPERATION

1. The Parties shall develop and pursue cooperation in the following areas of:
 - a. Prevent, deter, and eliminate Illegal, Unreported, and Unregulated (IUU) Fishing and crimes related to fisheries;
 - b. Sustainable Development of seaweed and mollusks culture;
 - c. Post-harvest development, promotion and marketing of fishery products;
 - d. Fish meal and fish oil processing technology development;
 - e. Capacity building and expert exchanges, including knowledge sharing on regulations and best practices of sustainable fisheries and aquaculture management;
 - f. Incidental fishing and discard;
 - g. Monitoring and control of fisheries and aquaculture.

2. The Parties will endeavor to hold consultations on matters of mutual interest prior to their participation in international fora on marine and fisheries matters.



ARTICLE III IMPLEMENTING ARRANGEMENT

To effectively implement the areas of cooperation as stipulated in Article II, such cooperation will be pursued through implementing arrangements to be agreed by the Parties.

ARTICLE IV ESTABLISHMENT OF JOINT TECHNICAL COMMITTEE

1. The Parties will establish a Joint Technical Committee on Fisheries and Aquaculture Cooperation to monitor and review the implementation of this Memorandum of Understanding.
2. The Joint Technical Committee will meet periodically and alternately in the Republic of Indonesia and the Republic of Chile at least once a year at dates agreed upon by the Parties, or in any other ways and means that will be agreed upon by the Parties.
3. The Joint Technical Committee shall provide report of the progress of the implementation of this Memorandum of Understanding to Regular Bilateral Consultation Forum between the Ministry of Foreign Affairs of the Republic of Indonesia and the Ministry of Foreign Affairs of the Republic of Chile.

ARTICLE V IMPLEMENTING INSTITUTIONS

The Parties designate these respective institutions below as the responsible agencies for the implementation of this Memorandum of Understanding:

1. For the Government of the Republic of Indonesia: Ministry of Marine Affairs and Fisheries.
2. For the Government of the Republic of Chile: Undersecretary for Fisheries and Aquaculture of the Ministry of Economy, Development and Tourism.



ARTICLE VI FINANCING

The costs of financing cooperation in the areas referred to in Article II of this Memorandum of Understanding shall be mutually agreed upon by the respective Parties on a case by case basis subject to their availability of funds.

ARTICLE VII CONFIDENTIALITY

The Parties shall ensure that the technical data and information mutually provided or shared including the results of joint research carried out under this Memorandum of Understanding, are not transferred or supplied to a Third Party without prior written consent of the Parties.

ARTICLE VIII INTELLECTUAL PROPERTY RIGHTS

The Parties agree that any intellectual property arising from the implementation of this Memorandum of Understanding shall be jointly owned and its utilization shall be subject under a separate arrangement between the Parties in accordance with the national legislation of each Party and International Conventions to which Indonesia and Chile are parties.

ARTICLE IX GENETIC RESOURCES

The Parties reaffirm that access to genetic resources shall be carried out in accordance with the provisions of the Convention on Biological Diversity 1992. Each Parties will have the authority to determine access to genetic resources in accordance with its domestic legislation and endeavor to create conditions to facilitate transparent access to genetic resources.



ARTICLE X SETTLEMENT OF DIFFERENCES

Any differences arising out of the interpretation and implementation of this Memorandum of Understanding will be settled amicably through consultations and negotiations between the Parties.

ARTICLE XI AMENDMENT

This Memorandum of Understanding may be amended at any moment by mutual written consent of the Parties. Such amendments shall form an integral part of this Memorandum of Understanding and will enter into force in the manner specified in Article XII.

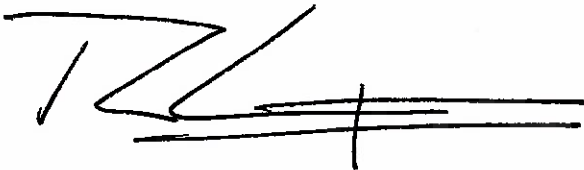
ARTICLE XII ENTRY INTO FORCE, DURATION AND TERMINATION

1. This Memorandum of Understanding shall come into force thirty (30) days after the date of its signing.
2. This memorandum of Understanding will remain in force for 3 (three) years and may be extended by written consent of the Parties.
3. The Parties may terminate this Memorandum of Understanding at any moment by giving six (6) months' written notice through diplomatic channels.
4. The termination of this Memorandum of Understanding will not affect any activity implemented under this Memorandum of Understanding until the completion of such activity, nor will it affect any commitment acquired by the Parties under Article VII on Confidentiality, Article VIII on Intellectual Property Rights and Article IX on Genetic Resource, unless the Participants agree otherwise.

IN WITNESS THEREOF, the undersigned, duly authorized by their respective Governments, have signed this Memorandum of Understanding.

DONE at *Bali, Indonesia* on the *30th* day of *October* in the year of two thousand eighteen, in two original copies in Spanish, Indonesian and English language. All texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

**For the Government of
the Republic of Chile**



ROBERTO AMPUERO
Ministry of Foreign Affairs

**For the Government of the
Republic of Indonesia**



SUSI PUDJIASTUTI
Minister of Marine Affairs and
Fisheries