

Taiwan and the Philippines sign Agreement on Law Enforcement Cooperation in Fisheries Matters

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After several rounds of negotiations in the past two years, Taiwan and the Philippines concluded the Agreement Concerning the Facilitation of Cooperation on Law Enforcement in Fisheries Matters on November 5, 2015. The pact was signed in Taipei by Representative Gary Song-huann Lin of the Taipei Economic and Cultural Office in the Philippines and Representative Antonio I. Basilio of the Manila Economic and Cultural Office in Taiwan at a ceremony witnessed by the heads of the fisheries agencies of the two nations as well as MECO Chairman Amadeo R. Perez, Jr.

The agreement contains seven articles and includes three important points of consensus that have already been implemented—avoiding the use of violence or unnecessary force, establishment of an emergency notification system, and establishment of a prompt release mechanism.

Immediately following the signing of the agreement, Taiwan and the Philippines convened the first Technical Working Group meeting on November 5 as per the provisions of Article 6. The meeting reached a consensus on two mechanisms—a one-hour advance notification to the other party and prompt release of detained vessels and crew within three days—which were made part of the agreement through an exchange of letters between TECO and MECO. The two sides agreed that the pact and exchange of letters will be announced at an appropriate time after they have completed their respective domestic administrative procedures.

After the agreement takes effect, Taiwan and the Philippines will avoid the use of violence or unnecessary force when enforcing the law. Before taking law enforcement action against a fishing vessel from the other party which is believed to be operating illegally in the overlapping exclusive economic zones, a one-hour advance notification will be given to the fisheries and coast guard agencies as well as representative office of the other party. If the fishing vessel is found to have violated the law and subsequently detained, it will be released within three days after posting reasonable bond, other security, or payment consistent with the law of the arresting party. These measures will effectively reduce fisheries disputes in the overlapping EEZs and protect the rights and interests of Taiwanese fishermen operating legally.

Since the tragic incident involving Guang Da Xing No. 28 fishing boat in 2013, Taiwan and the Philippines have held three rounds of fisheries talks and several additional rounds of informal negotiations to discuss law enforcement measures in the overlapping EEZs and effectively resolve fisheries disputes between the two countries. This agreement facilitating law enforcement cooperation signals determination on both sides to transform crisis into opportunity and conflict into cooperation. It upholds the spirit and principles underlying the South China Sea Peace Initiative put forth by President Ma Ying-jeou, calling for safeguarding sovereignty, shelving disputes, pursuing peace and reciprocity, and promoting joint exploration and development. The agreement, which enhances mutually beneficial and reciprocal coordination and cooperation, is a concrete manifestation of the peace initiative.

In their commitment to seeking peaceful solutions to disputes, the Ministry of Foreign Affairs, the Fisheries Agency, and the Coast Guard Administration will continue to hold consultations with related Philippine government agencies through the cooperation mechanism established under this agreement so that their joint efforts will ensure peace and order in fishing operations in the overlapping EEZs. Taiwan and the Philippines will steadfastly uphold the principle of peaceful negotiations and work to enhance friendly bilateral cooperation.

Source: Public Diplomacy Coordination Council as cited by Taiwan's Ministry of Foreign Affairs

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