



MARITIME INDUSTRY AUTHORITY

ADMINISTRATIVE ORDER

No. 18-20

Series of 2020

SUBJECT : MARINA STRATEGY ON INTERNATIONAL
ENGAGEMENTS, OBLIGATIONS AND
COMMITMENTS

DATE : 11 August 2020

In line with the Philippines' membership to the international maritime community, and the major thrust of the agency to provide leadership in transforming the Philippines into a major maritime nation, the following strategies shall be adopted by the Maritime Industry Authority (MARINA) in its international engagements, obligations and commitments:

I. SITUATION

Pursuant to series of laws and executive issuances over the years, specially its ship registration, shipbuilding, maritime safety, and seafarer-related functions, the MARINA was designated as the country's flag State administration vis-à-vis the international community¹. As a responsible member of the international maritime community, the Philippines attends and actively participates in various international commitments concerning marine environment protection, maritime safety and security, manpower development, international shipping and global maritime transport.

As part of MARINA's legal mandate to integrate the development, promotion, supervision and regulation of the country's maritime industry², the MARINA has established institutional linkages with international organizations such as the United Nations (UN), International Maritime Organization (IMO), International Labour Organization (ILO), Association of South East Asian Nations (ASEAN), BIMP-EAGA, Asia-Pacific Economic Cooperation (APEC), European Union (EU), Asia-Pacific Heads of Maritime Safety Agency (APHoMSA), and Organization for Economic Cooperation and Development (OECD), among others.

These international maritime engagements help improve the four (4) sectors of the maritime industry, namely: maritime manpower development, overseas shipping, domestic shipping, and shipbuilding / ship repair / shipbreaking / recycling, with maritime safety and security, and marine environment protection as cross-cutting issues among the sectors. Notwithstanding the extensive scope of mandated maritime-related concerns, and in recognition of

¹ Maritime Industry Development Plan, p. 30

² Presidential Decree No. 761



the subsequent pieces of legislation vesting the jurisdiction over other maritime subsectors (i.e., ports, fishing, tourism, etc.) to other government agencies, MARINA's administration of the country's maritime sector are focused on the further development of the aforesaid sectors considering new and advancing technologies, worldwide trends. These and other thematic maritime issues have to be taken account in our inter-relationship with other member States and international organizations.

Further, pursuant to Section 5 of PD No. 474³, the MARINA has formulated the Maritime Industry Development Plan (MIDP) aimed at realizing a nationally integrated and globally-competitive Philippine maritime industry through adherence to and transformation of international maritime obligations and responsibilities into national laws and their effective implementation, among other goals and objectives. This master plan (MIDP) aims to accelerate and expand domestic shipping services; build modern seaworthy ships through a globally competitive ship building, ship repair and ship breaking industry; adhere to and transform international obligations and responsibilities into national laws; and promote and develop the Philippines as human resource capital for ship management and maritime services.

This strategy is consistent with the MIDP's goal of strengthening MARINA's leadership to transform the Philippines into a major maritime nation. It is likewise in consonance with the 2030 Agenda for Sustainable Development (SDGs), the Strategic Plan of the IMO for 2018-2023, AmBisyon Natin (Our Vision) 2040 and the Philippine Development Plan.

By virtue of Administrative Order No. 10-17, Series of 2017⁴, the Overseas Shipping Service (OSS) has been primarily tasked, on behalf of the MARINA, to be the clearinghouse, repository and first point of contact of its engagements with international organizations. As such, the OSS participates in the negotiations of bilateral and multilateral shipping agreements and international, regional and sub-regional maritime transport agreements/arrangements, recommends the adoption and implementation of appropriate courses of action, policies and measures that would further the interest of the Philippine maritime industry and monitors the progress of the commitments with different flag state administrations.

II. MISSION

Comprehensive, thorough and strategic preparation for its international engagements, obligations and commitments.

³ Presidential Decree No. 474, June 01, 1974. "Providing for the Reorganization of Maritime Functions in the Philippines, Creating Maritime Industry Authority, and For Other Purposes".

⁴ Administrative Order No. 10-17, Series of 2017. "Reorganization of the Overseas Shipping Service (OSS)".



III. OBJECTIVES

1. To establish clear goals and objectives as MARINA's guide in its official international engagements and commitments;
2. To institutionalize the functions and strategies of the OSS as the focal office of MARINA to perform its international engagements, obligations, and commitments;
3. To enhance maritime economic relations;
4. To strengthen Philippine engagements with member States and other international organizations; and
5. To promote and protect Philippine ships, crews and other allied services.

IV. EXECUTION

A. CONCEPT OF OPERATION

MARINA's strategy for our international commitments is intended to establish clear goals and objectives to guide us in our official engagements with international organizations and with other countries through the whole-of-government approach.

Whole-of-Government Approach

The Philippine government adopts a "Whole-of-Government Approach" to ensure a comprehensive, integrated and coordinated preparation for its strategy through inter-agency cooperation.

The courses of action to be taken in dealing with its international engagements, obligations and commitments start at the agency level with provisions for comprehensive internal processes that will **Develop, Maintain, Sustain, and Assess** the strategies identified to advance our international commitments, as explained below:

1. DEVELOP

To help further develop the Philippine maritime industry into a globally competitive nation, the MARINA shall establish good relations with other countries. Good relations create cooperation, mutual interest and friendship. International relations allow nations to cooperate with one another, pool resources and share information as a way to face global issues that go



beyond any particular country or region. As countries continue to conquer distance through communication technology and complex international economy, the value of peaceful and cooperative relationships among nations is increasingly important. Historically, one of the oldest expressions of international relations is the establishment of treaties and agreements between and among nations.

Moreover, conduct of courtesy visits by the officials is also used to jumpstart connections with other States. It is also necessary to actively participate in meetings, forums and workshops hosted by other maritime countries particularly if it concerns the development of the industry.

2. MAINTAIN

The Philippines values its relationships with all countries, especially those with which it has had long-standing relations in order to foster and sustain mutual cooperation among maritime nations.

Being a member of the maritime international community, the Philippines must maintain its mature and harmonious relationship with different international maritime associations / organizations and other maritime countries to further strengthen the country's interest in adhering to regional and international standards related to maritime industry development.

3. SUSTAIN

Good relations are formed over time to build trust. Establishing harmonious international relationships among nations reflect mutual benefits as well as recognition of each other's sovereignty. To achieve a more sustainable maritime industry to foster investment growth, employment and revenues, the MARINA must sustain its good relations with other countries.

4. ASSESSMENT

As an integral part of the process, assessment shall be conducted to determine if the objectives of the Administrative Order are met through the strategies identified.

Further, the respective concerned service units, in coordination with OSS and the Department of Foreign Affairs (DFA), shall conduct periodic review⁵ on the

⁵ Monitoring starts when all mechanisms are in place, coordination has been established and relevant provisions have been issued and acted upon. Periodic review will be conducted every 3 years.



status of MARINA's existing relations with other countries, whether to develop, maintain and sustain such.

The periodic review will likewise consider the review of funds to coincide with the review of the budget for the funding of activities.

B. CONCEPTUAL FRAMEWORK

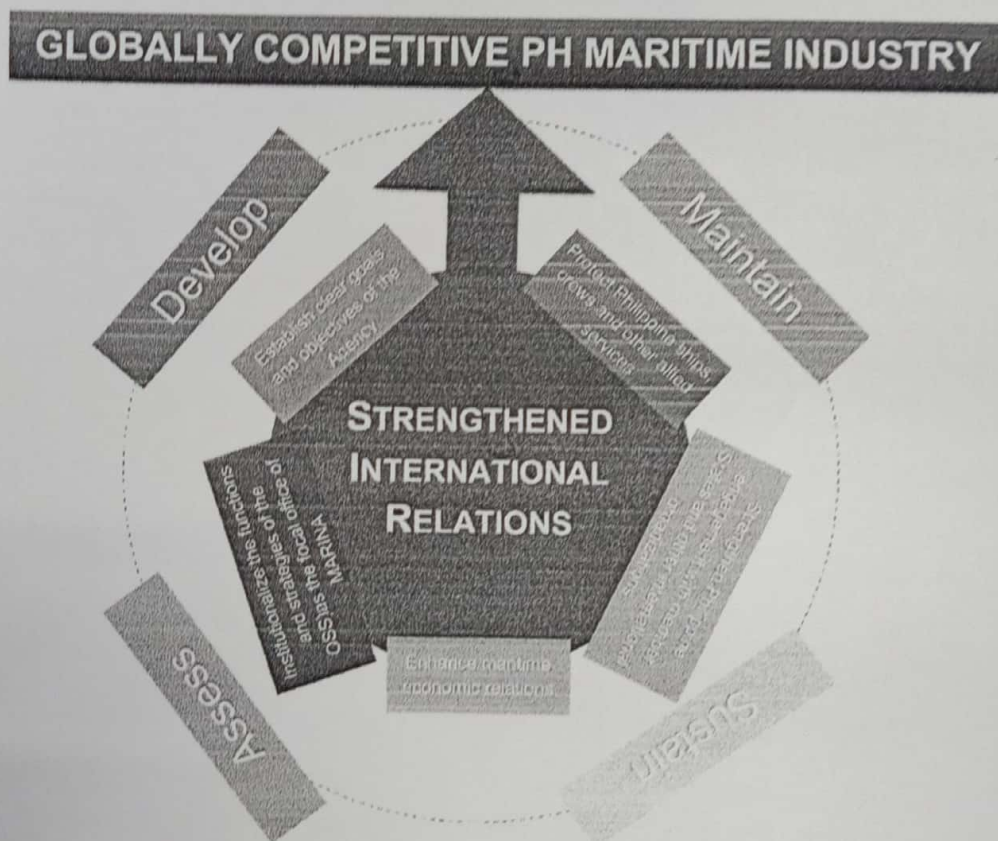


Figure 1. Conceptual Framework



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PHASES OF IMPLEMENTATION/ TASKS

In relation to the strategies enumerated in Item III, the following activities with timelines and OPR will be conducted on how to develop, maintain and sustain harmonious relationship with other countries:

1. Preparation Phase - DEVELOP

How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Sharing of best practices by officials/ representatives of other countries or courtesy visits with our counterparts	Identified MARINA officials/ staff		United Nations (UN), International Maritime Organization (IMO),
b. Attendance to meetings / fora / workshops	Identified MARINA officials / staff	Based on the invitation of either party	International Labour Organization (ILO), Association of South East Asian Nations (ASEAN), Asia-Pacific Economic Cooperation (APEC), European Union (EU), Asia-Pacific Heads of Maritime Safety Agency (APHoMSA), and Organization for Economic Cooperation and Development (OECD), among others.
c. Proposal to negotiate bilateral agreements on Merchant Shipping or any bilateral maritime agreement as may be	OSS in coordination with DFA	Negotiations and eventual conclusion of bilateral agreements	China Germany India Italy Panama



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<p>deemed necessary through diplomatic channels.</p> <ul style="list-style-type: none">- Drafting of National Interest Analysis (NIA) or Cost Benefit Analysis before entering into any Memorandum of Agreement (MOA)- Drafting of the Agreement based on the Model Draft template- Forwards the Agreement to the DFA and copy furnished the members of the National Economic and Development Authority – Tariff and Related Matters (NEDA-TRM) Subcommittee on Shipping, for onward transmittal to our counterpart.- Exchange of comments and/or inputs through diplomatic channel until both parties agree to have the signing of MOA- Participates in the negotiation of the proposed Agreement, if needed- Securing of Signing Authority, if necessary- Signing of the Agreement		<p>will depend on the efforts of our counterpart in the Department of Foreign Affairs (DFA) and its various geographical offices. This will likewise depend on the initiatives of the country we wish to have bilateral agreement in providing a counter proposal or concurrence to our proposal.</p>	<p>Qatar South Africa Turkey Viet Nam</p>
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2. Execution Phase - MAINTAIN AND SUSTAIN

How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Attendance and active participation in IMO meetings	Identified MARINA officials / staff, Maritime Attaché	Based on IMO Programme of Meetings	International Maritime Organization (IMO)
b. Continuous and active participation in Marine Accidents Investigators' International For a - Marine Accident Investigators' International Forum (MAIIF) - Marine Accident Investigators' Forum in Asia (MAIFA)	ES	Held Annually	IMO Member States
c. Drafting of position papers/interventions for its timely submission	Focal points of IMO meetings	Based on the deadline of submission of position papers	
d. Assists in the conduct of studies, review and evaluation of relevant international maritime instruments which may affect the Philippine maritime industry	OSS	Before the scheduled IMO meetings	
e. Conduct of pre- and post-delegation meetings or correspondence groups	Attendees to IMO meetings	Before and after the meeting	
f. Convene Multi-Sectoral Advisory Group on IMO Concerns (MAGIC) meetings	OSS as the MAGIC Secretariat	Quarterly meetings or as the need arises	



g. Convene Inter-agency Coordinating Committee on the Ratification and Implementation of IMO Conventions (ICCRIMC)	OSS as the ICCRIMC Secretariat	Quarterly meetings or as the need arises	
h. Convene IMO Member State Audit Scheme (IMSAS) Technical Working Group and Council Meetings	OSS as the IMSAS Secretariat	As the need arises	
i. Conduct of capacity building activities (Regional and National Workshops)	Concerned MARINA service unit	Based on the technical assistance granted by international partners	
j. Close collaboration on projects/activities relating to the implementation of IMO Conventions	OSS in coordination with relevant MARINA service units, partner agencies and private sector	Implementation period of the project	
k. Continuous sending of qualified MARINA professionals for post graduate courses under the scholarship programs (i.e. WMU, IMLI, among others)	HRMDD	Annual Training Plan/Career Pathing or Succession Program	
l. Re-election to the IMO Council under Category C	OSS	Every four years	



How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Continuous and active participation in ASEAN Maritime Transport Working Group (MTWG) Meetings/ARF/BIMP-EAGA	Identified MARINA officials/staff	Twice a year or as may be determined by the ASEAN Secretariat	Association of Southeast Asian Nations
b. Submission of comments on follow thru actions	OSS and other concerned MARINA service units	As necessary after the MTWG meetings	
c. Participation in pre and post delegation meetings	MARINA attendees	Before and after the scheduled ASEAN MTWG meetings	

How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Continuous and active participation in Asia Pacific Economic Cooperation (APEC) Transportation Working Group (TPT-WG) Meeting	Identified MARINA officials/staff	Twice a year or as may be determined by the APEC Secretariat	Asia Pacific Economic Cooperation
b. Active participation in Asia Pacific Economic Cooperation (APEC) Transportation Ministerial Meeting	Identified MARINA officials/staff	As may be determined by the APEC Secretariat	

How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Active participation in Organization for Economic Cooperation and Development	Identified MARINA officials/staff	As may be determined by the OECD-WP6	OECD



(OECD) Working Party 6 on Shipbuilding (OECD- WP6) Meetings, Conferences and Workshops		Secretariat	
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How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on Merchant Shipping	OSS in coordination with DFA	The Agreement was signed in 22 March 2000.	Netherlands
b. Signed MOA on Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCWO in coordination with OSS and DFA	The Agreement was signed in 31 May 2001.	
c. Conduct of Joint Committee on Maritime Affairs (JCMA)	STCWO in coordination with OSS	Every year (on a date agreed by both parties)	

How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended, Regulation I/10	STCWO	The Agreement was signed in 2001. An amendment of the Agreement was signed in June 2016.	Panama
b. Proposal of a Merchant Shipping Agreement	OSS	Targeted for a three year period (2020- 2022)	
c. Continuous collaboration through the hiring of Filipino seafarers onboard Panama flagged-ships			



d. Conduct of Joint Committee on Maritime Affairs (JCMA)	STCWO in coordination with OSS	Every year (on a date agreed by both parties)	
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How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Continuous partnership through a signed MOA with: - Japan Ship Machinery and Equipment Association (JSMEA) on technical assistance on shipbuilding and marine technology	SRS	Signed MOA on 18 June 2019	Japan
b. Proposal for transfer of technology	SRS		
c. Continuous collaboration on various technical assistance	SRS		
d. Signed MOA on the Recognition of Certificates under the Terms of the STCW Conventions, 1978, as amended	STCWO in coordination with OSS and DFA	The Agreement was signed in 21 January 2000.	
e. Memorandum of Cooperation (MOC) with Seamen's Employment Center of Japan (SECOJ) and Ministry of Land, Infrastructure, Transport and Tourism of Japan	STCWO	1. Yearly signing of MOC with Seamen's Employment Center of Japan (SECOJ) and Ministry of Land, Infrastructure, Transport and Tourism of Japan	



		2. Conduct of maritime instructors' training course for Philippine maritime instructors held in Japan yearly after MOC	
How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on the Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCWO	The Agreement was signed in 05 June 2002	Korea
b. Continuous partnership on various capacity building programs through Korea Maritime Institute	STCWO		
c. Participation in the Plans and Programs as Member to the Asia-Pacific Economic Cooperation-Seafarer Excellence Network (APEC- SEN) (formerly SENAP)	STCWO	Member since 01 March 2018	
d. Korea Offshore & Shipbuilding Engineering Cooperative (KOSEC) on technical assistance on shipbuilding and marine technology	SRS	Signed MOA on 23 July 2019	
e. Proposal for transfer of technology	SRS		
f. Continuous collaboration on various technical assistance	SRS		



How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on the Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCW in coordination with OSS and DFA	The Agreement was signed in 2002 and expired last 2007. A New Agreement was proposed and submitted to DFA in January 2018.	Indonesia
How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on the Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCW in coordination with OSS and DFA	The Agreement was signed in December 2017 – Thailand side and January 2018 – Philippine side. However, still no written notification that domestic requirements were fulfilled.	Thailand
How/Activities	Who/OPR	Timelines	Countries / Organizations
a. Signed MOA on the Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCW in coordination with OSS and DFA	The Agreement was signed in September 2018. However, still no written notification that domestic requirements were fulfilled.	Jordan



3. Assessment Phase

a. Review the signed MOA on the Recognition of Certificates under the Terms of the STCW Convention, 1978, as amended	STCWO		<i>Please refer to Annex A</i>
b. Review of the signed bilateral agreement on merchant shipping to determine whether to renew the agreements with these countries	OSS		<i>Please refer to Annex B</i>
c. Review the signed MOA with: - Japan Ship Machinery and Equipment Association (JSMEA); and, - Korea Offshore & Shipbuilding Engineering Cooperative (KOSEC) on technical assistance on shipbuilding and marine technology	SRS		

C. ADMINISTRATIVE AND LOGISTICS

All expenses necessary and allowable for the operationalization of this Order shall be drawn against the existing budget of MARINA. All expenses shall be within the approved allotment of concerned office/service units under the MARINA Annual Plans and Budget (APB) of the calendar year when a foreign travel is made.

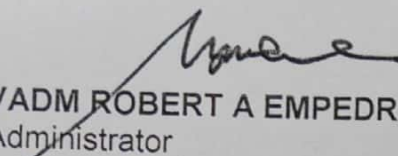
D. COMMAND AND SIGNAL

All MARINA Officials and personnel are hereby directed to perform their assigned functions and responsibilities based on this Administrative Order and the Special Orders to be issued in this regard.



This Administrative Order shall take effect immediately.

For strict compliance.


VADM ROBERT A EMPEDRAD AFP (Ret)
Administrator

Annexes:

- A - Signed Memorandum of Agreement (MOA) on the Recognition of Certificates under the Terms of the 1978 STCW Convention, as amended
- B - Signed MOA on Merchant Shipping
- C - Philippine National Maritime Strategy (IMSAS)