

1979 AGREEMENT ON THE ASEAN FOOD SECURITY RESERVE

Signed in New York, United States of America on 4 October 1979

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The Governments of the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand, being members of the Association of South East Asian Nations, which Association shall hereinafter be referred to as ASEAN:

RECALLING the Declaration of ASEAN Concord signed in Ball, Indonesia, on 24 February 1976, which provides that ASEAN Member Countries shall take cooperative action in their national and regional development programmes;

NOTING the high vulnerability of the region to wide fluctuations in the production of basic foodstuffs and hence to instability of the region's food supply;

NOTING FURTHER that the assurance of food security in the ASEAN region is the common responsibility of the ASEAN Member Countries;

EMPHASIZING that the establishment of a food security reserve among ASEAN Member Countries based on the principle of collective self-reliance to contribute to the strengthening of the respective national economic resilience as well as to ASEAN economic resilience and ASEAN solidarity;

AFFIRMING the need for effective and concerted action by ASEAN Member Countries aimed at strengthening food security in the region:

HAVE AGREED on the following provisions:

ARTICLE 1 GENERAL PROVISIONS

The ASEAN Member Countries hereby agree that food security needs to be dealt with from several aspects, especially, where appropriate, through:

- i. the strengthening of the food production base of the ASEAN Member Countries;
- ii. the prevention of post harvest losses of food grains;
- iii. the establishment of a food information and early warning system;
- iv. the adoption of effective national stock holding policies and improved arrangements for meeting requirements of emergency food supplies;
- v. the promotion of stability of food prices;
- vi. the adoption of policies and programmes for improving consumption and nutrition, particularly of the vulnerable groups within each ASEAN member Country;

- vii. the promotion of labour opportunities especially rural areas and increasing the income particularly of the small farmers; and
- viii. other measures, including possible long-term trade arrangements.

ARTICLE 2

ESTABLISHMENT OF THE ASEAN FOOD SECURITY RESERVE

1. The Governments of the ASEAN Member Countries hereby agree to establish the ASEAN Food Security Reserve.
2. The term "ASEAN Food Security Reserve" shall mean the sum total of the basic food stocks, particularly rice, maintained by each ASEAN Member Country within its national borders as a matter of national policy which includes commitment to the ASEAN Emergency Rice Reserve.

ARTICLE 3

COORDINATION OF NATIONAL FOOD STOCK POLICIES AND OF NATIONAL FOOD RESERVE

1. The Governments of the ASEAN Member Countries shall coordinate in conformity with their institutional and constitutional requirements, national food stock policies which take into account the policies of other ASEAN Member Countries and which together will result in maintaining a minimum safe level for the ASEAN Food Security Reserve.
2. It is hereby understood that the establishment of the ASEAN Food Security Reserve is not intended to fill continuing food deficits of individual ASEAN Member Countries, which normally are met through imports, commercial as well as concessional. The elimination of such deficits should, where appropriate, be attempted through increased production at an accelerated rate.
3. The ASEAN Member Countries shall further take measures aimed at assuring that their national food reserves are replenished as soon as feasible whenever they have fallen below such minimum levels as may be specified.

ARTICLE 4

THE ASEAN EMERGENCY RICE RESERVE

1. The Governments of the ASEAN Member Countries do hereby agree to the establishment of the ASEAN Emergency Rice Reserve for the purpose of meeting emergency requirements.
2. Each ASEAN Member Country shall earmark within or over and above its national reserve, a certain quantity of rice. Such earmarked quantities of rice shall constitute the ASEAN Emergency Rice Reserve, the total amount of which shall initially be 50,000 metric tons of rice.

3. For the first year of operation ASEAN Member Countries agree that the earmarked quantity of each ASEAN Member Country for the ASEAN Emergency Rice Reserve shall be as follows:

Indonesia : 12,000 metric tons

Malaysia : 6,000 metric tons

Philippines : 12,000 metric tons

Singapore : 5,000 metric tons

Thailand : 15,000 metric tons

4. Both the total amount of the ASEAN Emergency Rice Reserve, as well as the amount earmarked by each ASEAN Member Country in such Reserve, shall be periodically reviewed by the Governments of the ASEAN Member Countries taking into account the general food situation in the ASEAN region and in the world.
5. An emergency as referred to in Paragraph 1 of this Article shall be understood to mean the state or condition in which an ASEAN Member Country, having suffered extreme and unexpected natural or man-induced calamity, is unable to cope with such state or condition through its national reserve and is unable to procure the needed supply through normal trade.

ARTICLE 5

RELEASE OF RICE FROM THE ASEAN EMERGENCY RICE RESERVE FOR EMERGENCY REQUIREMENT

With regard to the release of rice from the ASEAN Emergency Rice Reserve to meet the emergency requirement of any ASEAN member Country, the following procedure shall be adopted:

- i. The ASEAN Member Country in need shall directly notify the other ASEAN Member Country or Countries of emergency it is facing and the amount of rice required.
- ii. The other ASEAN Member Country or Countries on being requested shall take immediate steps to make the necessary arrangements to ensure immediate and speedy release of the required rice.
- iii. The prices, terms and conditions of payments in kind or otherwise, in respect of rice so released, shall be the subject of direct negotiations between the ASEAN Member Countries concerned.
- iv. The requesting ASEAN Member Country shall at the same time inform the ASEAN Food Security Reserve Board of its request to the other ASEAN Member Country or Countries.

ARTICLE 6

REPLENISHMENT OF THE ASEAN EMERGENCY RICE RESERVE

1. The ASEAN Member Countries which have released rice under Article V either to meet their own emergency requirements or the emergency requirements of other ASEAN Member Countries shall take steps to replenish the rice so released so that the earmarked quantity of the countries concerned shall be restored to the level indicated in Article IV.
2. Fulfillment of the responsibility under Paragraph 1 of this Article shall be subject to the constraints on the availability of supply as well as other limitations.

ARTICLE 7

FOOD INFORMATION AND EARLY WARNING SYSTEM

1. For the effective functioning of the undertakings contained in Article III and IV, the Government of ASEAN Member Countries agree to furnish to the ASEAN Food Security Reserve Board referred to in Article VIII, on a regular basis information on government stockholding policies, and programmes, as well as other aspects of the food supply and demand situation, in particular rice. The ASEAN Food Security Reserve Board shall circulate the said information to the Member Countries.
2. On the basis of such data collected, concise factual appraisals of the situation and outlook shall be prepared periodically and circulated to ASEAN Member Countries.
3. The information or data made available pursuant to this Article shall be treated as confidential.

ARTICLE 8

ASEAN FOOD SECURITY RESERVE BOARD

1. For the purpose of providing supervision and coordination in the implementation of the ASEAN Food Security Reserve, the Governments of ASEAN Member Countries hereby agree to establish an ASEAN Food Security Reserve Board, hereinafter referred to as "the Board".
2. The Board shall be composed of one representative from each ASEAN Member Country.
3. The Board's terms of reference shall be as in the Annex to this Agreement.

ARTICLE 9 FINAL PROVISIONS

1. This Agreement is subject to ratification by the ASEAN Member Countries.
2. The Instruments of Ratification shall be deposited with the Secretary General of the ASEAN Secretariat who shall promptly inform each ASEAN Member country of such deposit.
3. This Agreement shall enter into force on the thirtieth day after the deposit of the Fifth Instrument of Ratification.
4. This Agreement may not be signed with reservation or shall reservations be admitted at the time of ratification.
5. Any amendment to the provisions of this Agreement shall be effected by consent of all ASEAN Member Countries.
6. This Agreement shall be deposited with the Secretary General of the ASEAN Secretariat who shall promptly furnish a certified copy thereof to each ASEAN Member Country.

IN WITNESS WHEREOF, the undersigned being duly authorized there to by their respective Governments have signed this Agreement.

DONE at the City of New York, U.S.A. this 4th day of October 1979 in six copies in the English language.

For the Republic of Indonesia:

DR. MOCHTAR KUSUMAATMADJA

Minister for Foreign Affairs

For Malaysia:

TENGGU AHMAD RITHAUDEEN

Minister for Foreign Affairs

For the Republic of the Philippines:

CARLOS P. ROMULO

Minister of Foreign Affairs

For the Republic of Singapore:

S. RAJARATNAM

Minister for Foreign Affairs

For the Kingdom of Thailand:

UPADIT PACHARIYANGKUN

Minister for Foreign Affairs