

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE GOVERNMENT OF HIS MAJESTY THE SULTAN
AND YANG DIPERTUAN OF NEGARA BRUNEI DARUSSALAM**

AND

THE GOVERNMENT OF THE REPUBLIC OF INDONESIA

AND

THE GOVERNMENT OF MALAYSIA

AND

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES

AND

THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

AND

THE GOVERNMENT OF THE KINGDOM OF THAILAND

ON

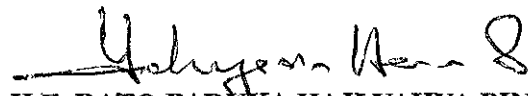
**THE CONSTRUCTION OF THE ASEAN OPTICAL FIBRE SUBMARINE
CABLE NETWORK**

The Government of His Majesty the Sultan and Yang Dipertuan of Negara Brunei Darussalam (hereinafter called "Brunei Darussalam"), the Government of the Republic of Indonesia (hereinafter called "Indonesia"), the Government of Malaysia (hereinafter called "Malaysia"), the Government of the Republic of the Philippines (hereinafter called "the Philippines"), the Government of the Republic of Singapore (hereinafter called "Singapore"), the Government of the Kingdom of Thailand (hereinafter called "Thailand") (which are collectively called "the Parties"), desirous of having an ASEAN Optical Fibre Submarine Cable Network (hereinafter called "the Network") linking Brunei Darussalam, Indonesia, Malaysia, the Philippines, Singapore and Thailand, hereby confirm the construction of the Network on the basis of the following understanding :

1. The Network shall be configured as shown in Annex I.
2. The Network shall be capable of interconnection and shall provide for terminal and transit traffic and diversity of operation, security and restoration of such traffic.
3. The tentative Ready For Service dates of the various segments of the Network are as shown in Annex II.
4. All Parties shall extend their fullest cooperation to achieve the above objectives.
Thailand's statement is attached in Annex III.
5. Non-ASEAN telecommunication entities or carriers may be permitted to invest or purchase capacity on an ownership, Indefeasible Right of User basis or any other basis in the segment of the Network under terms and conditions to be determined by the terminal parties concerned.

Done at Jakarta, on Thursday of 8th March 1990.

For Brunei Darussalam:



H.E. DATO PADUKA HAJI YAHYA BIN HAJI HARRIS
Ambassador of Brunei Darussalam to Indonesia

For Indonesia:



SOEDJONO KRAMADIBRATA
Secretary General, Ministry of Tourism, Posts and Telecommunications, Indonesia

For Malaysia:



H.E. DATO' ABDULLAH ZAWAWI BIN HAJI MOHAMED
Ambassador of Malaysia to Indonesia

For the Philippines:



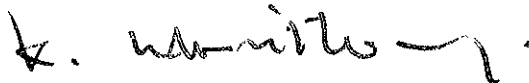
H.E. OSCAR G. VALENZUELA
Ambassador of the Philippines to Indonesia

For Singapore:



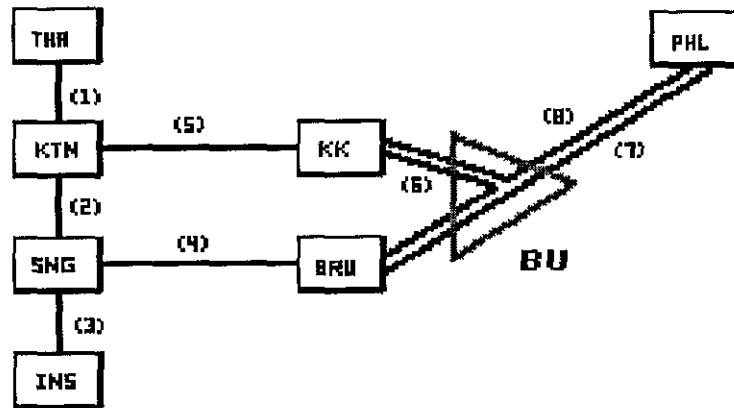
H.E. BARRY DESKER
Ambassador of Singapore to Indonesia

For Thailand:



H.E. KAMTORN UDOMRITTHIRUI
Ambassador of Thailand to Indonesia

ANNEX I



THE ASEAN OPTICAL FIBRE SUBMARINE CABLE NETWORK

Legend

BRU	-	Brunei Darussalam
INS	-	Indonesia
KTN	-	Kuantan
KK	-	Kota Kinabalu
PHL	-	Philippines
SNG	-	Singapore
THA	-	Thailand
BU	-	Branching Unit

ANNEX II

READY FOR SERVICE DATES

The tentative Ready For Service dates of each segment of the Network are as follows :

- | | | |
|-----|---|---------------|
| (1) | Thailand - Malaysia (Kuantan) | : 1992 |
| (2) | Malaysia (Kuantan) - Singapore | : 1993 - 1995 |
| (3) | Singapore - Indonesia | : 1993 - 1995 |
| (4) | Singapore - Brunei | : 1991 |
| (5) | Malaysia (Kuantan) - Malaysia (Kota Kinabalu) | : 1990 |
| (6) | Brunei - Malaysia (Kota Kinabalu) | : 1991 |
| (7) | Brunei - Philippines | : 1991 |
| (8) | Malaysia (Kota Kinabalu) - Philippines | : 1991 |



16 November B.E.2532 (1989)

Excellency,

With reference to the Memorandum of Understanding on the Construction of the ASEAN Optical Fibre Submarine Cable Network, I have the honour to inform Your Excellency that I have been authorized and empowered to sign, on behalf of the Government of the Kingdom of Thailand, the said Memorandum of Understanding.

In so expressing the consent of the Government of the Kingdom of Thailand to be bound, the Government of the Kingdom of Thailand attaches a reservation to the said signature as follows:

Taking into account of the original aim of the ASEAN Submarine Cable Network and of the spirit of cooperation among member countries, by which the link between Thailand and the Philippines was planned in 1978, but not yet implemented up to now, in becoming Party to this MOU, Thailand reserves the right to subsequently negotiate with interested ASEAN Countries with a view to directly linking Songkhla station Charlee II with the Philippines or Brunei Darussalam.

His Excellency

Mr. Ali Alatas,

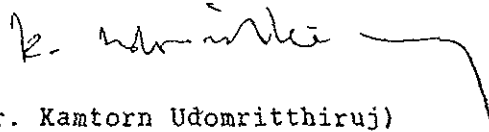
Minister for Foreign Affairs

of the Republic of Indonesia,

JAKARTA.

I have further the honour to inform you that I have also notified other ASEAN Missions in Jakarta of the content of the present note.

Accept, Excellency, the renewed assurances of my highest consideration.



(Mr. Kamtorn Udomritthiruj)

Ambassador of Thailand