

# MEMORANDUM OF UNDERSTANDING

Between  
**JAI HIND COLLEGE (AUTONOMOUS)**  
And  
**THE NATIONAL MARITIME FOUNDATION**

05 May 2022

## Article 1. Purpose

With the object of promoting an academic collaboration, JAI HIND COLLEGE (AUTONOMOUS), Mumbai and the NATIONAL MARITIME FOUNDATION have concluded between them the following Memorandum of Understanding ("MoU"). This MoU is specifically for the "International Relations Certificate Course" conducted by the Department of History, "Bachelors of Vocation -Travel and Tourism Management", and for the "Research Cell" of Jai Hind College (Autonomous).

## Article 2. Recitals

### 2.1 The Jai Hind College (Autonomous)

Jai Hind College, a multi-Faculty College, established in 1948, by a group of dedicated teachers from Karachi and currently, managed by the Sind Educationists' Association, is an Autonomous College, under the University of Mumbai and is recognised for distinction in the teaching of several subjects including the Arts, Sciences, Commerce Professional and Vocational Studies. It is one of the premier educational institutions in Mumbai. The College fosters excellence in academics, promotes a research culture and consistently enriches students through special certificate courses, to facilitate employability. It has always endeavoured to train students to contribute through knowledge and commitment to subjects at the local, national and international levels and has gone beyond the curriculum, in order to achieve excellence in the pursuit of imparting holistic education. The college is especially promoting value added courses and Certificate and Diploma courses to promote employability

### 2.2 The National Maritime Foundation

The National Maritime Foundation is a non-governmental, apolitical, autonomous maritime think-tank registered (on 23 Dec 2004) as a 'Society' under the Societies Registration Act XXI of 1860, relevant to Delhi (as part of the National Capital Territory) [Regn Ser No 51056/2004]. The primary purpose of the NMF is to generate ideas and debate on matters of public policy relevant to the maritime domain. Its principal research areas include holistic maritime security; thematic as well as country/region-specific maritime geostrategies relevant to the Indo-Pacific; 'marine', 'maritime', and 'naval' technology; 'Blue Economy' and 'Climate Change' (BECC) issues and their national and regional maritime impacts; environmental and ecological issues, oceanic resources,

both living and non-living; Public International Maritime Law (PIML); maritime history, maritime heritage, and maritime culture; maritime trade and connectivity; and maritime safety.

### **Article 3. Forms of Cooperation**

Within such fields as are mutually acceptable for the Parties, the following forms of cooperation, amongst others, may be pursued:

- 3.1 Undertaking of lectures by scholars/experts from the National Maritime Foundation in the International Relations Certificate Course (Level I and II), coordinated by the Faculty, Department of History, Jai Hind College (Autonomous).
- 3.2 Internship opportunities for undergraduate students from Jai Hind College (Autonomous).
- 3.3 Issuing completion /achievement certificates with the joint logos of Jai Hind College (Autonomous) and the Association of Asia Scholars.
- 3.4 Research mentorship for students and scholars

### **Article 4. Specific Cooperation Projects (For Department of History Themes)**

The International Relations Certificate Course covers theory and practical case studies on international relations. The National Maritime Foundation shall consider providing scholars on some or all of the following proposed areas of *holistic* maritime security relevant to the Indo-Pacific Region, which expression incorporates within its ambit, littoral, island and hinterland States including landlocked ones, and in spatial terms, extends from the continent of Africa proceeding eastward to the twin-continent of the Americas, and from the continental landmass of Asia proceeding southward to the continental landmass of Antarctica:

- 4.1 "Thematic Security", encompassing:
  - 4.1.1 SAGAR (Security and Growth for All in the Region).
  - 4.1.2 IPOI (Indo-Pacific Oceans Initiative).
  - 4.1.3 'Bilateral', 'Trilateral', and, 'Multilateral' Constructs of Maritime Relevance.
  - 4.1.4 Coastal and Offshore Security.
  - 4.1.5 Naval Security (Hard Security).
  - 4.1.6 Trade/Sea Lines of Communication (SLOC) Security.
  - 4.1.7 Energy-Security, and, the Security-of-Energy.
  - 4.1.8 Port Security.
  - 4.1.9 Maritime Food-Security (including Sustainable-Fishing Mechanisms).
  - 4.1.10 Polar Security.
  - 4.1.11 Cyber Security.
  - 4.1.12 Nuclear Security.

4.1.13 'Surface', 'Underwater', 'Air', and 'Space-based' Maritime Domain Awareness (MDA).

4.2 India's Maritime Geostrategies.

4.3 Regional Maritime Geostrategies covering the following countries/ collectives:

Australia	Bahrain	Bangladesh	China	Comoros	Egypt
Eritrea	France	Germany	Indonesia	Iraq	Iran
Israel	Japan	Kenya	Kuwait	Malaysia	Maldives
Mauritius	Mozambique	Myanmar	Netherlands	Oman	Pakistan
Philippines	Qatar	Russia	Saudi Arabia	Seychelles	Singapore
Somalia	South Africa	South Korea	Spain	Sri Lanka	Taiwan
Tanzania	Thailand	Turkey	UAE	UK	USA
Vietnam	ARF	ASEAN	BIMSTEC	DCoC	EAS
EU	IOC	IONS	QUAD	WPNS	Pacific Island States

4.4 Public International Maritime Law (PIML)

4.4.1 Implications of the nuanced relationship between international conventions/treaties and bilateral/multilateral agreements between States, as also the nuanced legal intersections between "private domestic maritime (Admiralty) law", "private international maritime law", and, "public international maritime law".

4.4.2 The United Nations Charter; the International Maritime Organisation (IMO) Convention, 1948.

4.4.3 The United Nations Convention of the Law of the Sea, 1982 (UNCLOS), including its jurisprudence and its contemporary challenges.

4.4.4 The SUA Convention, 1988, and its Protocols of 2005, including jurisprudence relevant thereto.

4.4.5 The International Convention for the Prevention of Pollution from Ships (MARPOL), 1973/1978.

4.4.6 Legal aspects and interface-structures of the IMO's Legal Committee (LEG).

4.4.7 Legal aspects and interface-structures of the United Nations Division of Ocean Affairs and the Law of the Sea (DOALAS).

4.4.8 Legal aspects and interface-structures of the International Seabed Authority (ISA), particularly those related to its Legal and Technical Committee.

4.4.9 *Indian* Maritime Legislation including:

4.4.9.1 The Territorial Waters, Continental Shelf, Exclusive Economic zone and Other Maritime Zones Act, 1976.

4.4.9.2 The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981.

4.4.10 *International* Legislation concerning the maritime environment, including:

4.4.10.1 The Convention on the Prevention of Marine Pollution by Dumping of Wastes and other matters, 1972 (London Convention) and its Protocols of 1996.

4.4.10.2 The Basel Convention, 1992.

4.4.10.3 The Convention to Ban the importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement of Hazardous wastes within the South Pacific Region, 2001 (the Waigani Convention).

- 4.4.10.4 The United Nations Environmental Programme (UNEP) Goals and Principles of Environmental Impact Assessment (EIA Principles), 1987.
- 4.4.10.5 The United Nations Environmental Programme (UNEP) Regional Seas Convention.
- 4.4.10.6 The United Nations Environmental Programme (UNEP) Regional Organisation for Protection of the Marine Environment (ROPME).
- 4.4.10.7 The South Asia Co-operative Environment Programme (SACEP), 1982.
- 4.4.10.8 The Colombo Declaration, 1981.
- 4.4.10.9 The 2015S ACEP Strategy 2020-2030.
- 4.4.10.10 The Protocol on Environmental Protection to the Antarctic Treaty (Madrid Protocol), 1991.
- 4.4.10.11 Guidelines for Environmental Impact Assessment in the Arctic (Arctic EIA Guidelines), 1997
- 4.4.10.12 The Convention on Environmental Impact Assessment in a Trans-boundary Context (Espoo Convention), 1991.
- 4.4.10.13 The UNDP Sustainable Development Goals and their alignment with Nationally Determined Contributions (NDCs).
- 4.4.10.14 The Convention on Biological Diversity (CBD), 1992.
- 4.4.10.15 The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. (Aarhus Convention), 1998.
- 4.4.10.16 The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 (BWM Convention).
- 4.4.11 *Indian Legislation concerning the maritime environment, including:*
  - 4.4.11.1 Environment Protection Act (EPA), 1986, (including the Coastal Regulation Zone Notification, 1991 and Coastal Zone Management Plans [CZMPs]).
  - 4.4.11.2 The Hazardous Waste Management Act, 1989.
  - 4.4.11.3 The Environmental Impact Assessment Notifications of 1994 and 2006
  - 4.4.11.4 The Biodiversity Act, 2002
- 4.4.12 Legal issues relevant to Areas Beyond National Jurisdiction (ABNJ).
- 4.4.13 Legal issues relevant to Illegal, Unreported and Unregulated (IUU) Fishing, including:
  - 4.4.13.1 The 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing" (IPOA-IUU).
  - 4.4.13.2 The 2005 Model Scheme on Port State Measures to Combat Illegal, Unreported and Unregulated Fishing (the Model Scheme).
  - 4.4.13.3 The 2009 FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (the PSM Agreement).
  - 4.4.13.4 The Committee on Fisheries (COFI) of the United Nations Food and Agriculture Organization (FAO) Voluntary Guidelines for Flag State Performance (the Guidelines), of 2014.

- 4.4.14 Legal and regulatory aspects of unmanned, minimally-manned, and autonomous surface-, underwater- and airborne vehicles; legal aspects of Surface, Subsurface, and Space-based Maritime Domain Awareness (MDA).
- 4.4.15 Legal and sovereignty-challenges posed by Privately Contracted Armed Security Personnel (PCASP) and floating armouries
- 4.4.16 The Laws of War:
  - 4.4.16.1 The Hague Conventions of 1907 (particularly Hague Conventions VI, VII, VIII, IX, X, XI, XII, and XIII) and the 1925 Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare.
  - 4.4.16.2 The San Remo Manual, 1994, on International Law Applicable to Armed Conflicts at Sea.
  - 4.4.16.3 The San Remo Manual: Handbook on Rules of Engagement, 2009
- 4.5 Maritime History, -Heritage, and, -Culture.
- 4.6 Environmental issues, incorporating the ongoing national and regional transition to a 'Blue Economy', and the creation and strengthening of disaster-resilient infrastructure to adapt to the impacts of 'climate change'.
- 4.7 Oceanic Resources, both living and non-living.
- 4.8 Maritime Trade, Maritime Connectivity, and, Maritime Safety, including:
  - 4.8.1 The comparative analysis of India's mercantile marine vis-à-vis India's dependence upon seaborne merchandise trade; analysis of open registries (flags of convenience) and the need for national-flag shipping.
  - 4.8.2 Analysis of Indian shipbuilding, shipbreaking, and ship-repair capacity and capability.
  - 4.8.3 Coastal shipping.
  - 4.8.4 Inland waterways.
  - 4.8.5 Maritime leisure/sport, and maritime tourism.
  - 4.8.6 Cruise-ship and RO-PAX tourism.
  - 4.8.7 Analysis of the opening of the Northern Sea Route.
  - 4.8.8 Analysis of the impact of Industry 4.0 upon Shipping (Shipping 4.0), etc.

**Article 5. Specific Cooperation Projects (For Department of Bachelor of Vocation - Travel and Tourism Management)**

- 5.1 Facets of *holistic* maritime security specified in Articles 4.1, 4.2, 4.4 (up to 4.15), 4.6, 4.7, and 4.8 of Article 4.

**Article 6.** Themes for the Research Cell of the College in terms of talks and mentorship will be agreed mutually with terms and conditions specified.

### Article 7. Financial Arrangements

Both Parties agree that:

7.1 The payment for lecture sessions would be at the rate of INR 2,500 (Two Thousand Five Hundred Only) per session of one hour duration, and conducted online.

7.2 The payment would be made collectively for all the scholars/experts/speakers and will be thereafter assigned by the NMF individually OR as agreed by both parties.

7.3 The PAN number, account number, name of the organisation /resource persons, contact details and a cancelled cheque would be required.

### Article 8. General Coordinators

Each Party shall designate an administrative office to oversee and facilitate the implementation of any agreements arising out of this MoU. These offices are:

For JAI HIND COLLEGE: Dr Archana Mishra	For the NMF: Commodore Debesh Lahiri
E-mail: <a href="mailto:archana.mishra@jaihindcollege.edu.in">archana.mishra@jaihindcollege.edu.in</a>	E-mail: <a href="mailto:execdir.nmf@gmail.com">execdir.nmf@gmail.com</a>
Tel: +91-9969033177	Tel: +91-11-26156520/ 7349048174

### Article 9. Liability

Except for loss or damages caused through gross negligence or intent, the Parties shall have no liability to each other.

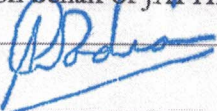
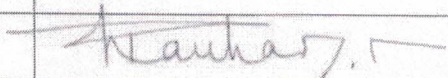
### Article 10. Legal Relationship

This MoU shall be construed as a statement of purpose to promote a genuine and mutually beneficial collaboration between the Parties. Nothing in this MoU shall create any legal relationship between the Parties.

### Article 11. Commencement, Renewal, Termination

11.1 This MoU will be effective from the date of the last signature affixed hereto and will remain in force for a time period of **one year**, with a possibility for renewal at the end of this period, subject to the Parties' written agreement.

11.2 Either Party may terminate this MoU by giving six (6) months' notice in writing to the other Party.

Signed on behalf of JAI HIND COLLEGE	Signed on behalf of NMF:
	
Dr. Ashok G. Wadia	Vice Admiral Pradeep Chauhan Director-General
DR ARCHANA MISHRA Coordinator	
Place:	Place: NEW DELHI
Date:	Date: 05 MAY 2022