

AGREED MINUTES OF THE THIRD MEETING OF THE PHILIPPINES-MALAYSIA JOINT COMMITTEE ON BORDER COOPERATION 28 MAY 1996 MANILA, PHILIPPINES

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INTRODUCTION

- 1.The Third Meeting of the Philippines-Malaysia Joint Committee on Border Cooperation (JCBC) was held in Manila, Philippines on 28 May 1996.
- 2.The Philippine delegation was led by the Hon. Rodolfo C. Severino, Jr., Undersecretary of Foreign Affairs, while the Malaysian delegation was led by H.E. Tan Sri Ahmad Kamil Jaafar, Secretary-General, Ministry of Foreign Affairs. The lists of members of both delegations appear as Annex A and Annex B.

ADOPTION OF THE AGENDA

- 3.The Meeting adopted the Agenda which appears as Annex C.

BUSINESS ARRANGEMENTS

- 4.The Meeting was held in Plenary and Working Group Sessions.

The Working Groups are :

- a.) The Working Group on Border Patrol
- b.) The Working Group on Border Crossing

- 5.The Meeting acknowledged the significant achievements of the Border Patrol Coordinating Group (BPCG) and the Working Group on Border Crossing.

- 6.The Meeting also commended the Chairmen of both groups for establishing the appropriate mechanisms and procedures to build confidence and enhance cooperation between the two sides.

MATTERS FOR CONSIDERATION ON BORDER PATROL

- 7.The Meeting considered and adopted the Reports on BPCG activities and the Working Group on Border Patrol which appear as Annex D.
- 8.The Meeting agreed to defer the decision on the matter of Hot Pursuit to a later date.
- 9.The Meeting agreed to study further the proposed Joint Hydrographic Survey of Border Areas.
- 10.The Meeting approved the SOPs on Coordinated Border Patrol, Maritime Air Operation and on Communication.

ON BORDER CROSSING

11.The Meeting took note of the report of the Working Group on Border Crossing which appears as Annex E. It approved the recommendation of the Working Group that it be given the mandate to meet intersessionally.

DATE AND VENUE OF THE NEXT MEETING

12.The Meeting agreed to hold the Fourth Meeting of the Joint Committee on Border Cooperation on a mutually agreed date and venue.

ADOPTION OF THE AGREED MINUTES

13.The Meeting adopted the Agreed Minutes of the Third Meeting of the Joint Committee on Border Cooperation.

ACKNOWLEDGEMENT

14.The Malaysian Delegation expressed its sincere appreciation to the Government of the Philippines for the warm hospitality and excellent arrangements made for the meeting.

Manila, 29 May 1996

For the Delegation of the For the Delegation of Malaysia

Republic of the Philippines

(Sgd.) RODOLFO C. SEVERINO (Sgd.) TAN SRI AHMAD KAMIL JAAFAR

Undersecretary Secretary-General

Department of Foreign Affairs Ministry of Foreign Affairs

Philippines Malaysia

REPORT ON BORDER PATROL COORDINATING GROUP (BPCG) ACTIVITIES

INTRODUCTION

1.The Border Patrol Coordinating Group (BPCG) Philippines/Malaysia was formed during the second meeting of the Joint Committee on Border Cooperation (JCBC) on October 20-21, 1994 to jointly manage and coordinate maritime patrols for the purpose of preventing illegal activities in the border areas of the Philippines and Malaysia. At that meeting the JCBC directed the BPCG to hold two meetings and one coordinated operation in 1995 with a view to formulate and produce SOP for the conduct of coordinated operation.

ACTIVITIES

2.Since its establishment, and as directed by JCBC, the BPCG had successfully held two meetings and conducted one Coordinated Border Patrol. The first meeting was held in Zamboanga City on 14-18 August 1995. During this meeting the Standard Operating Procedure (SOP) for the conduct of the border patrol was formulated and drafted. It was agreed that the draft SOP be tested at sea on actual patrol.

3.The first Coordinated Border Patrol, called PRIMAL I, was held on 12-21 November 1995. A detailed report of this patrol is at Annex A. During this operation the draft SOP was put to the test. It was found that the production

of a common Operation Order as suggested by the draft SOP was not practical since all participating units only operate on their own side of the border under their own Commander Task Group (CTG). It was therefore found to be more appropriate and necessary to produce a common Operation Plan which should contain all the information needed based on the SOP. The CTG from each country would then produce their own Operation Orders based on and within the parameters laid out by the common Operation Plan.

4.PRIMAL I also highlighted the need to include the procedure for maritime air operation in the SOP.

5.The second BPCG meeting was held on 5-8 December 1995 in Kota Kinabalu. The meeting restudied the draft SOP and took note of all the observations and recommendations made during PHIMAL I. The meeting accepted the second draft of the SOP and agreed that it should be presented to JCBC for approval.

ISSUES RAISED

6.Frequency of Coordinated Patrol. As agreed by the second meeting of JCBC, the BPCG shall conduct coordinated patrol operation once a year. At the first meeting of BPCG it was agreed that there should be scheduled and unscheduled coordinated border patrol. The Scheduled Coordinated Patrol would be held once a year as directed. However, the Unscheduled Coordinated Patrol should not be limited to any fixed number of time but should be mounted as and when the situation demands it. The SOP for it has been incorporated into the SOP for the Coordinated Border Patrol.

7.Hot Pursuit. During the first meeting of BPCG the issue of hot pursuit was raised. It was decided that both sides make a study of the subject and present proposals at the second BPCG meeting. At the second meeting both sides produced their proposals. The conditions for Hot Pursuit proposed by the two sides were similar except for one major difference i.e the Malaysian side proposed that Hot Pursuit would only be up to five miles beyond the demarcation line. (Which is the center line of the designated patrol area), and the Philippine proposal was that Hot Pursuit be allowed to continue for up to six hours after crossing the demarcation line. The other conditions proposed by both parties were:

- (a) Hot Pursuit would be permissible during Coordinated Patrol only;
- (b) On all occasions of Hot Pursuit, the Commander Task Group (CTG) of the other party must be informed, by the quickest means, of the intention; and
- (c) If the Hot Pursuit is to continue beyond the initial limit allowed, the expressed permission of the other CTG must first be obtained prior to continuing.

8.The meeting decided to refer the issue to JCBC for decision.

9.Joint Hydrographic Survey of Border Areas. At the first meeting of BPCG, a proposal was made to establish an arrangement for a joint hydrographic survey of the border areas to improve safety of navigation. Since this subject is outside the scope of BPCG it was agreed that the proposal be referred to JCBC for its perusal.

CONCLUSION

10.The BPCG has successfully carried all the assignments given to it by JCBC for the year 1995 by holding two meetings, carrying out one Coordinated Patrol and producing the SOPs for the various coordinated activities. The issues raised at the meetings are very relevant to the operations and therefore require urgent attention.

RECOMMENDATION

11. The JCBC is cordially invited to accept the report and to give guidance and decision on the issues raised. The JCBC is also invited to approve the SOPs on Coordinated Border Patrol, Maritime Air Operation and on Communication.

Manila, 28 May 1996

Lt. Gen Ruperto Ambil (Sgd.) First Adm. Dato' Tuan

Commanding General, Hashim Tuan Mohamad

Southern Command Director, Maritime

Armed Forces of the Enforcement Coordinating Center

Philippines (Malaysian BPCG Chairman)

(Philippines BPCG Chairman)

by:

(Sgd.) P/Chief Supt. Alejandro

F. de Guzman

Director, Maritime Command

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