BILATERAL

MEMORANDUM OF UNDERSTANDING ON LAW ENFORCEMENT COOPERATION AND COMBATING CHILD ABUSE BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE G...

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The Government of the United Kingdom of Great Britain and Northern Ireland ('the British Government') and the Government of the Republic of the Philippines ('the Philippine Government');

Recognizing the international nature of much serious crime, and the need for close international cooperation by law enforcement agencies to combat it;

Desiring to form a united front in the fight against child abuse;

Approving of the close liaison between the competent authorities of the United Kingdom and the Philippines;

Wishing to strengthen this liaison through activities as set out in this Memorandum of Understanding (MOU), consistent with their respective national laws and regulations;

Have hereby reached the following understanding:

SECTION 1
SCOPE

(a) This MOU provides a framework for:

- cooperation between the competent authorities of the United Kingdom and the Philippines (Section 2);

- exchange of intelligence between the competent authorities of both countries relating to serious crime (Section 3);

- assistance and training to be provided by the British government to the Philippine law enforcement agencies (Section 4);

- exchange of information between competent authorities of both countries relating to law enforcement policies, research, equipment and other issues (Section 5).

(b) The competent authorities covered by this MOU include:

For the Philippine Government:

- the Department of Foreign Affairs (DFA);

- the National Bureau of Investigation (NBI);

- the Bureau of Immigration and Deportation (BID);

- the Philippine National Police (PNP) including the National Police Commission (NAPOLCOM) and the Philippine Public Safety College (PPSC);

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For the British Government:

- the National Criminal Intelligence Service (NCIS), including Interpol London;

- HM Customs and Excise (HMCE);

- The British Embassy, Manila.

SECTION 2
CO-OPERATION BETWEEN LAW ENFORCEMENT AGENCIES

(a) The law enforcement agencies covered by this MOU will provide an initial response within seven days to any request for assistance from agencies from the other country relating to serious crime.

(b) The law enforcement agencies covered by this MOU will undertake their best endeavors to provide assistance requested by agencies from the other country in the investigation of and prevention of serious crime, and to provide this assistance quickly and confidentially.

(c) This assistance includes, but is not limited to:

- investigations;

- preparation for and assistance in liaison visits to each other's country.

SECTION 3
EXCHANGE OF INTELLIGENCE RELATING TO SERIOUS CRIME

(a) The law enforcement agencies covered by this MOU will share with each other intelligence relating to known and suspected serious criminals that are either operating in the other's country or may be likely to do so.

(b) This intelligence will be provided on the basis that it remains confidential and is not made public except with the written authority of the providing agency.

(c) Where this intelligence relates to the movement of serious criminals with the suspected intent of committing serious crime, the agencies receiving the intelligence will act on it promptly, and report to the agency providing the intelligence on the steps they have taken.

SECTION 4
ASSISTANCE AND TRAINING

(a) Assistance and training to be provided in the Philippines by the British Government to the Philippine law enforcement agencies in the fields of combating child abuse and tackling serious crime may include:

- equipment;

- skills training of Philippine law enforcement personnel in the Philippines;

- expert assistance in developing the curriculum at the relevant law enforcement training establishments;

- training programmes in the UK.

(b) The Philippine Government will work with the British Government to ensure that the assistance and training provided is focused on the most urgent and important needs of the Philippine law enforcement agencies; and will provide counterpart funding to pay for the in-country costs of such assistance and training.

(c) The law enforcement agencies receiving such assistance and training will ensure that:

- equipment provided is properly used for the purpose for which it was given and properly maintained;

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- personnel trained are properly deployed in the fields for which they were trained;

(d) The law enforcement agencies receiving such assistance and training will confirm in writing six months and twelve months after the assistance has been provided and personnel have been trained that the equipment provided has been properly used and the personnel trained have been properly deployed.

(e) When the British Government provides assistance or training to the Philippine Government in the field of combating child abuse and tackling serious crime, the details of such assistance, including use of equipment and future deployment of trained personnel will be agreed by the competent authorities concerned and entered as an annex to this MOU.

SECTION 5
EXCHANGE OF INFORMATION

Both Governments will exchange information relating to law enforcement, serious crime and combating child abuse, which may include:

- copies of laws and regulations;

- government and police policies, guidance, Standard Operating Procedures

- and best practice papers;

- assessments of trends in serious crime and child abuse;

- future requirements of either government in the procurement of equipment;

- research and improvement projects undertaken by the law enforcement agencies in either country;

- relevant products and services offered by the private sector of either country.

SECTION 6
CONTACT POINTS AND LIAISON

(a) For the purposes of the activities covered by this MOU, the law enforcement agencies will use as primary points of contact the Police Liaison Officer of the British Government in Manila, NCIS, the Office of Intelligence and Security Services (OIS) of the Department of Foreign Affairs (DFA) and the Interpol Division of the NBI."

(b) Representatives of the two Governments will meet to discuss the implementation of the various activities covered under this MOU including:

1. to monitor liaison over serious crime, and identify areas for improvement;

2. to monitor the exchange of intelligence;

3. to monitor assistance and training provided, and the use made of these by the recipient agencies; to identify areas of weakness and recommend remedies;

4. to identify fruitful areas of information exchange;

5. to explore other areas of co-operation as appropriate.

(c) Attendance at these meetings together with their frequency, dates, venues and agenda will be decided jointly.

SECTION 7

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ACTION BY GOVERNMENTS

(a) Both Governments will inform the appropriate law enforcement and other agencies of the contents of this MOU.

(b) Both Governments will inform the relevant companies in their respective private sectors of the contents of this MOU.

SECTION 8
DISPUTES

Any dispute that may arise on the interpretation and implementation of this MOU will first be submitted to the meetings of representatives described in Section 6 for clarification and settlement. In the event that the dispute is not settled at this level, it will be resolved only by consultation between the two Governments and therefore will not be referred to any national or international tribunal or third party for settlement.

SECTION 9
VALIDITY

(a) This MOU will come into effect on the date of its signing and will remain in effect for a period of three (3) years. Unless terminated by either Government in accordance with paragraph (c) of this section, representatives of both sides will then assess jointly the possible extension of the validity of the MOU.

(b) This MOU may be amended with the joint written consent of both governments.

(c) This MOU can be terminated at any time by either Government, giving the other prior written notice of ninety (90) days.

(d) Termination will not affect the validity or duration of any on-going work or contract concluded within the framework of the MOU.

Signed in triplicate in Manila on this 30th day of August 1997 in English texts.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF THE

UNITED KINGDOM OF GREAT BRITAIN REPUBLIC OF THE PHILIPPINES

AND NORTHERN IRELAND

By:

(Sgd.) RT. HON. ROBIN COOK MP (Sgd.)HON. DOMINGO L. SIAZON, JR.

Secretary of State for Foreign Secretary of Foreign Affairs

and Commonwealth Affairs

Entry into Force: August 30, 1997

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