AGREED MINUTES OF THE THIRD MEETING OF THE PHILIPPINES-MALAYSIA JOINT COMMISSION FOR BILATERAL COOPERATION

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1.The Third Meeting of the Philippines-Malaysia Joint Commission for Bilateral Cooperation was held in Manila from 29 to 31 May 1996.

2.The Philippine side was led by H.E. Domingo L. Siazon, Jr., Secretary of Foreign Affairs. The Malaysian side was led by H.E. Datuk Abdullah Ahmad Badawi, Minister of Foreign Affairs. The lists of both delegations appear as Annexes A and B.

3.The Leaders expressed satisfaction over the progress of Philippines-Malaysia bilateral relations during the past three years following the historic visit to Malaysia of H.E. President Fidel V. Ramos, and the return visit made by H.E. Prime Minister Dato Seri Dr. Mahathir Mohamad. The Leaders noted the considerable expansion of bilateral cooperation in the areas of trade and investments, consular matters and air services. The Leaders stressed the need to further enhance cooperation in agriculture, tourism and culture and commodities and agreed to identify new areas of cooperation. The Leaders emphasized the strategic partnership between the two countries, and underscored its critical role in promoting peace and stability in the region. The texts of their opening statements appear as Annexes C and D.

ADOPTION OF THE AGENDA

4.The Meeting adopted the Agenda which appears as Annex E.

BUSINESS ARRANGEMENTS

5.The Meeting was held in Plenary.

CONSULAR MATTERS

6.The Philippine side welcomed the establishment of a Malaysian Consulate General in Davao City on 7 December 1995.

7.The Malaysian side expressed appreciation for the assistance provided by the Philippines in the establishment of the Consulate General in Davao City and expressed the hope that the Philippines will expedite establishing a Consulate General in East Malaysia.

8.On the issue of Filipino workers in Malaysia, the Philippine side:

(a)noted the progress in the discussions between concerned agencies on the procedures for the recruitment of workers from the Philippines for employment in Malaysia on government to government basis;

(b)expressed confidence that arrangements for domestic helpers and shop assistants could be arrived at; and

(c)emphasized the need for both sides to find acceptable solutions to outstanding issues that affect Filipino

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workers in Malaysia, such as the issuance of Machine Readable Cards (MRC), the levy imposed on Filipino workers, certain benefits for the workers, and contract-substitution.

9.The Malaysian side took note of the points raised by the Philippine side and in response conveyed the following:

(a)Malaysia provides each foreign worker with an MRC for purposes of identification.

(b)Employers have been warned that it is an offence to withhold passports of foreign workers and action has been taken against employers who commit such offenses by charging them in court.

(c)Levy is payable by all foreign workers irrespective of nationality. The amount paid is used to offset income tax. However, Malaysia is prepared to look into this matter.

(d)Malaysia's Employment Act does not fully cover domestic workers. The Malaysian side will investigate the practice of some employers giving only two days off in a month to such workers. Such matters could be included in the terms and conditions of the contract of employment, an infringement of which would constitute a violation of the Employment Act.

(e)Filipino workers are currently allowed to be engaged as domestic maids and as chambermaids and bartenders in hotels or resort islands and major cities in Peninsular Malaysia. In Sabah, they are allowed to work in other sectors. No restriction is imposed on the employment of Filipinos in the professional, technical and managerial sectors.

(f) Malaysia will promptly notify cases of arrest and detention of Filipino workers to the Philippine Embassy through the Ministry of Foreign Affairs. Representatives of the Embassy would also be allowed to visit the detainees at the Immigration Depots upon request.

(g)The Malaysian Government appreciates the problems faced by f foreign workers, particularly those in the construction sector, and is looking into improving their working conditions.

(h) The presence of undocumented foreign workers in Sabah has become a security concern for Malaysia.

(i)The Malaysian Government appreciates the release of the 16 Malaysian fishermen arrested by the Philippine authorities, following due process of law.

10.The Meeting agreed on the need to hold regular informal consultations between the relevant agencies of the two sides to resolve any outstanding problem pertaining to Filipino workers and illegal immigrants.

TRADE AND INVESTMENTS

11.The Meeting noted the increase in bilateral trade and investment. Both sides were confident that trade and investments could rise even further. The Meeting looked forward to the early conclusion of the proposed Investment Guarantee Agreement between the Philippines and Malaysia. Both sides agreed that the Malaysia-Philippines Business Council, which had been launched in October 1995, in Kuala Lumpur is an effective mechanism for the expansion of bilateral economic relations.

12.The Philippine side:

(a)mentioned the need for the expansion of the list of export products through better information on the Malaysian market. To achieve this, the Philippine side encouraged the Malaysian Government to provide more information on the Malaysian market;

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(b)informed the Malaysian side of the creation of a promotion unit at the national level to handle investment opportunities;

(c)informed the Malaysian side of the enactment of a law providing for the shift from the Home Consumption Value to Transaction Value as the method for customs valuation;

(d)informed the Meeting that an investment mission would soon be visiting Malaysia to clarify investment and land tenure laws; and

(e)requested the Malaysian side to consider lifting Malaysia's import licensing requirements, especially semi-finished products of iron or non-alloy steel, standard wire cables, and telephone switching apparatus.

13.The Malaysian side:

(a)sought the cooperation of the Philippine Government with regard to the non-tariff barriers that hinder access for Malaysian goods;

(b)informed the Meeting that there still existed over valuation of Malaysian exports to the Philippines by the Societe Generale de Surveillance (SGS);

(c)sought cooperation in expediting the process of obtaining approvals in regard to investments in southern Philippines; and

(d)welcomed the proposed investment mission and added that it would reciprocate by sending a similar mission to the Philippines.

14.The Meeting agreed to increase exchange of investment missions between the two countries so as to further enhance trade and economic cooperation.

AIR SERVICES

15.The Philippine side welcomed Malaysian Airlines' (MAS) flights to Cebu and Davao from Kota Kinabalu. The Philippine side recalled Prime Minister Mahathir's invitation for equity participation from the other BIMP-EAGA members in the newly inaugurated SAEAGA Airlines to service BIMP-EAGA. The Malaysian side proposed that the matter of equity participation in SAEAGA be discussed within BIMP-EAGA.

16.The Malaysian side requested the Philippine side to consider such possible air routes such as Manila-Langkawi. The Philippine side indicated that it would refer the matter to the appropriate agencies and the Philippine air carriers.

17.The Philippine side inquired from the Malaysian side about the possibility of Pacific East Asia Cargo (PEAC) carrying cargo between Manila and Penang and noted Malaysia's interest in extending cargo services to Cebu.

18.The Meeting agreed to hold consultations on the possible expansion of the Confidential Memorandum of

Understanding on air services.

COMMODITIES

19.The Malaysian side emphasized the need to further enhance cooperation in the areas of plantation, processing and marketing of commodities, particularly palm oil and natural rubber. Malaysian companies are keen to invest in the plantation sector in the Philippines. However, the Malaysian side pointed out the various problems faced with regard to such investment, particularly the period of land tenure. In this regard, the Malaysian side requested the Philippine side to consider the extension of the land tenure period to beyond 50 years, in view of the length of

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time required for the development of large plantation areas. The Philippine side agreed to look into this matter further so as to encourage joint ventures in the plantation sector.

20.The Malaysian side requested that the high import duties on palm oil and palm oil products, cocoa, and cocoa products be reduced within the context of the implementation of the CEPT scheme. The Philippine side replied that the prevailing import duty on cocoa beans is 3% while the duties on cocoa products are between 3% to 10 %. Palm oil and palm kernel oil are in the Temporary Exclusion List and will be phased into CEPT by 1999. The duties on these items will be reduced to 3%-5% by January 2003. The Malaysian side expressed the hope for the acceleration of the tariff reduction.

21.The Malaysian side noted that the Philippines is importing substantial volume of logs for its wood-based industry and proposed that companies in both countries be encouraged to establish joint ventures in timber products and furniture. In this regard, the Meeting agreed to encourage greater exchange of information and contacts between businessmen, participation in specialized exhibitions, and two way trade and investment missions in timber and furniture manufacturing and in agro processing.

22.The Malaysian side inquired about the Philippine position regarding membership in the Association of the Natural Rubber Producing Countries (ANRPC) and the International Natural Rubber Agreement (INRA). The Philippine side informed the Malaysian side that the matter has been forwarded to the Philippine Congress in view of its budgetary implications.

COOPERATION IN TOURISM AND CULTURE

23.The Meeting expressed the need for more active cooperation in the promotion of tourism through specific projects and agreed to the following:

(a)study the possibility of undertaking joint tourism promotion efforts, particularly in the context of BIMP-EAGA and in the Turtle Islands Heritage Protected Area (TIHPA);

(b)consumer advertising campaign in major market areas;

(c)educational trips for travel agents and operators from the primary markets as a way of updating their product knowledge on both countries;

(d)cooperative participation in both international and regional exhibition, fairs, conferences, seminars and workshops;

(e)joint food and cultural promotions, and

(f)organized joint educational tours for international journalists, and film crews with the objective of creating mass publicity on the tourist attractions in both countries.

24.The Malaysian side suggested the following areas of cooperation in culture and arts:

(a) exchange of experts in theater management, choreography and scriptwriting;

(b)sharing of experience and knowledge among students in performing arts of both countries, and

(c)initiation of a Malay Studies programme in the institutions of higher learning in the Philippines.

The Philippine side welcomed the above suggestions.

25.The Meeting welcomed the establishment of linkages between Philippine and Malaysian educational institutions as exemplified by the twinning programs between the Mindanao State University (MSU) and

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Malaysia's International Islamic University.

26.The Philippine delegation expressed appreciation for the sponsorship by Malaysia of an International

Conference on Dr. Jose Rizal held in October 1995 in Kuala Lumpur.

COOPERATION IN AGRICULTURE

27.The Meeting noted the Report of the First Meeting of the Joint Committee for Cooperation in Agriculture held in Kuala Lumpur from 26 to 27 June 1995, and welcomed efforts to promote cooperation in agricultural research, agri-business, fisheries, and livestock development, by establishing Technical Working Groups on Agriculture, Livestock and Fisheries.

28.The Meeting noted that the Technical Working Groups on Agriculture, Livestock and Fisheries will be convened by July 1996, and that the Terms of Reference of the Technical Working Group on Fisheries, as proposed by Malaysia, have already been accepted by the Philippines.

BIMP - EAGA

29.The Meeting exchanged views on developments in the BIMP - EAGA, including the completion of the first cycle of the Senior Officials Meetings, the progress made in the 13 working groups, and the active involvement of the private sector through the East ASEAN Business Council.

30.The two sides exchanged views on the participation of Australia's Northern Territory in the BIMP-EAGA.

ESTABLISHMENT OF THE TURTLE ISLANDS HERITAGE PROTECTED AREA (TIHPA)

31.The Foreign Ministers signed the Memorandum of Agreement on the Establishment of a Philippines-Malaysia Turtle Islands Heritage Protected Area (TIHPA).

32.The Meeting noted that the Philippines-Malaysia TIHPA will provide opportunities for productive joint efforts in the management and conservation of turtles as well as in tourism development.

EXCHANGE OF VISITS OF PARLIAMENTARIANS, GOVERNMENT OFFICIALS, AND JOURNALISTS

33.The Meeting acknowledged the increase in the exchange of visits of Parliamentarians, government officials, and journalists between the two countries and encouraged further exchange of visits in the future.

34.The Malaysian side informed the Meeting that the Speaker of Dewan Rakyat (House of Representatives) had extended an invitation to Speaker Jose De Venecia to visit Malaysia and was still awaiting the response from the Philippine side. Other proposed visits include that of Vice President Joseph Estrada.

CONSIDERATION AND ADOPTION OF THE REPORT OF THE FIRST MEETING OF THE JOINT COMMITTEE ON ASSISTANCE FOR THE SOCIO-ECONOMIC ADVANCEMENT OF MUSLIM FILIPINOS

35.The Meeting considered and adopted the Report of the First Meeting of the Joint Committee on Assistance for the Socio-Economic Advancement of Muslim Filipinos, held on 27 May 1996 in Manila, which appears as Annex F.

CONSIDERATION AND ADOPTION OF THE REPORT OF THE THIRD MEETING OF THE JOINT COMMITTEE FOR BORDER COOPERATION

36.The Meeting considered and adopted the Report of the Third Meeting of the Joint Committee for Border

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Cooperation, held on 28 May 1996 in Manila, which appears as Annex G.

OTHER MATTERS

37.The Joint Commission agreed to discuss at the next meeting the possibility of establishing sea transport linkages (cargo and passenger) between the two countries.

SIGNING OF BILATERAL AGREEMENTS

38.The Heads of Delegation signed the Memorandum of Agreement on the Establishment of the Philippines-Malaysia Turtle Islands Heritage Protected Area (TIHPA), which appears as Annex H.

DATE AND VENUE OF THE FOURTH JOINT COMMISSION MEETING

39.The Meeting agreed that the Fourth Meeting of the Joint Commission for Bilateral Cooperation would be held in Malaysia in 1997, on dates to be mutually agreed upon through diplomatic channels.

APPRECIATION

40.The Malaysian side expressed its appreciation to the Government of the Republic of the Philippines for the warm hospitality and excellent arrangements for the Meeting.
Manila, 31 May 1996

For the Government of the For the Government of Malaysia

Republic of the Philippines

(Sgd.) DOMINGO L. SIMON, JR. (Sgd.) DATUK ABDULLAH AHMAD BADAWI

Secretary of Foreign Affairs Minister of Foreign Affairs

AGREED MINUTES OF THE FIRST MEETING OF THE PHILIPPINES-MALAYSIA JOINT COMMITTEE ON ASSISTANCE FOR THE SOCIO-ECONOMIC ADVANCEMENT OF MUSLIM FILIPINOS
(MANILA, 27 MAY 1996)

INTRODUCTION

1.The First Meeting of the Philippines-Malaysia Joint Committee on Assistance for the Socio-Economic Advancement of Muslim Filipinos was held in Manila, Philippines on 27 May 1996.

2.The Philippine side was led by the Hon. Rodolfo C. Severino, Undersecretary of Foreign Affairs. The Malaysian side was led by H.E. Tan Sri Ahmad Kamil Jaafar, Secretary-General of the Ministry of Foreign Affairs. The delegation lists appears as Annex A.

ADOPTION OF THE AGENDA

3.The Meeting adopted the Agenda which appears as Annex B.

BUSINESS ARRANGEMENTS

4.The Meeting was held in Plenary and formed three Working Groups namely: the Working Group on Islamic Banking and Tabung Haji, Working Group on Education and Entrepreneurial Skills and Working Group on Trade and Investment.

SIGNIFICANCE OF THE MEETING

5.The Meeting recognized the importance of bilateral cooperation for the socio-economic advancement of Muslim Filipinos and welcomed the establishment of the Joint Committee. Both sides also recognized the need for a focal point to facilitate the implementation of such cooperation.

6.The Meeting agreed to recommend to the Joint Commission that the Joint Committee be given the mandate to meet intersessionally.

ON ISLAMIC BANKING AND HAJ MANAGEMENT

7.The Philippine side expressed its desire to learn from Malaysia's experience in Islamic banking and Haj management.

8.The Malaysian side indicated its willingness to share experiences in these fields. The Malaysian side sought clarification on the procedure for the setting up of an Islamic bank in Mindanao and requested the Philippine Government to identify the areas of expertise required so as to enable Tabung Haji and Bank Islam to offer the necessary assistance in the field of Islamic banking. The Malaysian side also sought clarification with regard to the Philippine Government's position on the management of Haj activities in the Philippines and informed the Philippine side that Tabung Haji is willing to share its expertise in the field of Haj management.

9.The Working Group in its deliberations considered matters pertaining to Malaysia's participation in Al Amanah Islamic Investment Bank, opening of a branch of Bank Islam Malaysia or alternatively a finance company, establishment of an Islamic insurance company and training in Islamic banking and Haj management. The report of the Working Group appears as Annex C.

EDUCATION/ENTREPRENEURIAL SKILLS

10.The Philippine side conveyed to the Malaysian side the current exchanges and linkages between educational institutions of the two countries. The Philippine side stressed the need for an overall framework to guide such exchanges.

11.The Malaysian side indicated that it was prepared to offer the following programs to the Philippines:

(a)The exchange of graduate students and academic officials to conduct research in the areas of community health, biochemical and microbiology;

(b) Joint research in the field of material science (magnet and superconductor), solar energy and microwave instrument; and

(c)exchange of officials between the Universities whereby cooperation could be undertaken as an alternative to sabbatical leave or technical training.

12.The Malaysian side indicated that it is also ready to offer the following programs:

(a)various short term training programs such as basic automation, television and radio repair works, domestic wiring and building technology at Pusat Giat Mara (MARA Training Center);

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(b)Two years of formal training of skills at the Institute Kemahiran MARA (MARA Training Institute). This is the extended version of the courses offered at Pusat Giat MARA, with the emphasis on English language and other important subjects.

(c)Development of entrepreneurial skills with an emphasis on trainers' training under the scheme of Bimbingan Usahawan (Entrepreneurial Development).

13.The Working Group agreed to consider cooperation in the following areas:

(a)expansion of linkages between academic institutions;

(b)establishment of Malaysian Studies Center;

(c) establishment of a palm oil research center and a fruit research center;

(d)upgrading of madrasah education; and

(e) training of Islamic teachers and government executives from the Autonomous Region of Muslim Mindanao(ARMM).

The Report of the Working Group appears as Annex D.

TRADE AND INVESTMENT

14.The Philippine side identified the following potential areas for investment in Muslim Mindanao: shipping, oil refining, food processing, fish canning, palm oil processing, wood products, ceramics, etc.

15.The Malaysian side indicated that assistance to Muslim Filipinos in the Southern Philippines would be more effective if the Philippine Government could provide a basic organizational structure to enable Malaysian entrepreneurs to channel their investment proposals for approval. In this regard, the Malaysian side proposed the setting up of a focal point to facilitate and coordinate investment activities.

16.The Philippine side agreed to study further the proposal of the Malaysian side for the establishment of such a focal point.

17.The Philippine side indicated that the focus of export trade should be on primary agricultural commodities, and processed agricultural products. The Philippines will organize and dispatch a trade Mission to East Malaysia in due time.

18.The Philippine side will provide the Malaysian side with the list of priority investments in the ARMM, The Report of the Working Group appears as Annex E.

ADOPTION OF THE REPORT OF THE WORKING GROUPS

19.The meeting adopted the report of the three Working Groups.
Manila, 27 May 1996

For the Government of the For the Government of Malaysia

Republic of the Philippines

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

Undersecretary of the Secretary General of the

Department of Foreign Affairs Ministry of Foreign Affairs

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

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 BOARD PATROL

7.The Meeting considered and adopted the Reports on BPCG activities and the Working Group on Border Patrol which appears 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 the 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.

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

Annex H

MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF MALAYSIA ON THE ESTABLISHMENT OF THE TURTLE ISLAND HERITAGE PROTECTED AREA

The Government of the Republic of the Philippines and the Government of Malaysia hereinafter referred to jointly as "PARTIES" and singly as "PARTY";

RECOGNIZING the significance of the Turtle Islands as a traditional nesting area of the green (Chelonia mydas) and the hawksbill (Eretmochelys imbricata) turtles;

REALIZING that effective conservation efforts cannot be independently realized at a national level and that bilateral efforts are necessary to ensure the long-term survival of marine turtles in this part of the region;

DESIRING to jointly manage and protect the only remaining major green turtle habitats and population in the Southeast Asian region through a unified approach in the formulation and attainment of the management and protection strategies/goals;

HAVE AGREED AS FOLLOWS:

Article I
Location

Subject to their respective laws, the contracting PARTIES hereby agree to establish the Turtle Island Heritage Protected Area (TIHPA) composed of six islands designated by the Philippines: Boaan, Langaan, Great Bakkungaan Lihiman, Taganak, and Baguan; and three islands designated by Malaysia: Pulau Selingaan, Pulau Gulisaan, and Pulau Bakkungaan Kechil with their corresponding coordinates:

ISLANDS

N Latitude

E Longitude

Boaan

6° 17'16"

118° 04'42"

Langaan

6° 12'27"

118° 08'59"

Great Bakkungaan

6° 1T13"

118° 07'15"

Lihiman

6° 14'02"

118°04'09"

Taganak

6° 04'38"

118° 19'00"

Baguan

6° 06'07"

118°26'58"

Pulau Selingaan

6° 11'00"

118° 04'00"

Pulau Bakkungaan Kechil

6° 10'18"

118° 06'00"

Pulau Gulisaan

6° 09'00"

118° 03'00"

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Article II
Purpose

1.Subject to their respective laws, the contracting PARTIES shall jointly manage and protect the Turtle Islands Heritage Protected Area as a green and hawksbill turtle sanctuary. The contracting PARTIES shall endeavor to develop an integrated management program that shall highlight, at the minimum, the following:

1.1 Implementation of an integrated and uniform approach to conservation and research that is oriented towards wise management of the TIHPA;

1.2 Establishment of a centralized database and information network on marine turtles;

1.3 Development of appropriate information awareness programs primarily targeted towards the inhabitants of the Turtle Islands on the conservation of marine turtles and the protection of their habitats;

1.4 Implementation of a joint marine turtle resource management program;

1.5 Development and implementation of a training and development program for the staff of the TIHPA; and

1.6 Development and undertaking of eco-tourism programs.

2.The contracting PARTIES shall adopt a Turtle Conservation and Research Program composed of activities included but not limited to those which appear in Annex A.

Article III
Joint Management Committee

1.The TIHPA Joint Management Committee (hereinafter referred to as the Committee) is hereby established to implement the purposes specified in Article II of this Agreement.

2.The Committee shall be composed of five members from each contracting PARTY. The representatives may be accompanied by one or more experts and advisers who may come from non-government organizations involved in the conservation of marine turtles.

3.The Committee shall serve as the policy-making body of the TIHPA and may coordinate/collaborate with international organizations involved in marine turtle conservation for the realization of the purposes of this Agreement.

4.The representatives of each contracting PARTY to the Committee shall study and recommend to their respective authorities the enactment of such laws as may be necessary to pursue the purposes of this Agreement.

5.The Committee shall render periodic reports to the Philippines-Malaysia Joint Commission for Bilateral Cooperation.

Article IV
Implementing Agency

1.Each contracting PARTY shall designate an appropriate Implementing Agency to enforce, implement and monitor the policies, laws, rules and regulations formulated for the management and protection of the TIHPA.

Article V
Coordination and Linkages

1.The Committee shall meet at least once a year on dates that shall be agreed upon by the contracting PARTIES.

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2.The Implementing Agency of each contracting PARTY shall maintain active communication with each other to ensure the effective enforcement and implementation of policies and programs as agreed to by the Committee.

3.Each contracting PARTY shall alternately host the meetings of the Committee.

Article VI
Financing

1.Through funding and technical assistance from donor agencies and non-government organizations, the Committee shall formulate a Sustainable Financing Strategy (SFS) such as the establishment and management of an Environmental Guarantee Fund or Trust Fund to support its programs, activities, and operations.

2.Each contracting PARTY shall be responsible for the administration of funds allocated for their respective activities in pursuance of the programs of the TIHPA,
Article VII
National Laws and Regulations

1.Matters or issues not covered by the foregoing provisions shall be subject to the respective national laws and regulations of the contracting PARTIES.

2.Nothing in this Agreement shall modify any existing agreement between the Government of the Philippines and the Government of Malaysia.

Article VIII
Interpretation and Application

The contracting PARTIES shall resolve any differences arising from the interpretation and application of this Agreement through mutual consultation. However, in instances where differences cannot be resolved through consultation, the matter shall be referred to the Philippines-Malaysia Joint Commission for Bilateral Cooperation for resolution.

Article IX
Amendment

This Agreement may be amended at any time by mutual agreement of both contracting PARTIES, provided that such amendments shall not prejudice the execution and implementation of existing contracts, projects and programs.

Article X
Entry into Force

This Agreement shall enter into force on the date of the exchange of the diplomatic notes indicating that the legal requirements and formalities under the respective laws of the contracting PARTIES have been completed.

IN WITNESS WHEREOF, the duly authorized representatives of the Government of the Republic of the Philippines and the Government of Malaysia have signed this Memorandum of Agreement.

DONE at Manila, on the 31st day of May, 1996, in four originals, two each in the Malay and English languages, both texts being equally authentic.
In case of divergent interpretation of the Malay and English texts, the English texts shall prevail.

For and on behalf of the For and on behalf of the

Government of the Philippines Government of Malaysia

(Sgd.) (Sgd.)

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