

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED MEXICAN STATES FOR COOPERATION ON FIGHT AGAINST ILLEGAL TRADE AND ABUSE OF N...

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The Government of the Republic of the Philippines and the Government of the United Mexican States, hereinafter referred to as "the Parties",

AWARE that illegal trade and abuse of narcotics and psychotropic substances represent a great threat to both countries' health and welfare and at the same time a serious problem as to political, economic, cultural and other social aspects;

RECOGNIZING that cooperation referred to in this Agreement is complementary to the one that both Parties will provide in compliance with its present and future international commitments, pursuant to the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the United Nations Convention against Illegal Traffic of Narcotics and Psychotropic Substances, which was approved on December 20, 1988, in Vienna, Austria, hereinafter referred to as the "Vienna Convention";

CONSIDERING that eliminating illegal traffic of narcotics and psychotropic substances is a common responsibility of all the countries in the world and that it calls for coordination of bilateral and multilateral actions;

RESOLVED to assist each other, whenever necessary, in order to efficiently fight illegal traffic, of narcotics and psychotropic substances;

ACKNOWLEDGING the importance of cooperation between the Parties in order to restrain illegal traffic of narcotics and psychotropic substances within the territory, the air space and jurisdictional waters of their respective countries;

Have agreed as follows:

ARTICLE I

Objective

The object of this Agreement is to promote cooperation between the Parties in an attempt to combat efficiently narcotic trafficking, drug addiction and related offenses such as money laundering, organized crime, diversion of chemical precursors and illegal trade of firearms, as phenomena which go far beyond both Parties' frontiers.

ARTICLE II

Scope of the Agreement

1. The Parties shall comply with their commitments under this Agreement in accordance with principles of self-determination, non-intervention in internal affairs, judicial equality and respect to the States' territorial integrity.
2. None of the Parties shall exercise in the other Party's territory any competence or functions that exclusively

correspond to the latter Party's authorities, pursuant to internal law and national sovereignty.

ARTICLE III

Cooperation Modes

Cooperation as object of this Agreement may be performed in the following modes:

- a) exchange of information on any suspicion of illegal traffic of narcotics, psychotropic substances or illegal diversion of chemical precursors and essential chemicals towards any of the Parties;
- b) exchange of information on concealment of strategies used in the illegal transit of narcotics, psychotropic substances or illegal diversion of chemical precursors and essential chemicals, as well as on ways of detecting them;
- c) exchange of information on usual routes of criminal organizations engaged in illegal traffic of narcotics, psychotropic substances or illegal diversion of chemical precursors and essential chemicals, within the territory of any of the Parties;
- d) organize meetings to exchange experiences on research, detection and control of narcotics, psychotropic substances and chemical precursors and essential chemicals;
- e) organize workshops, seminars and congresses to share experiences on drug addiction, detoxification and rehabilitation;
- f) exchange of methodology on identification of sources of illegal inflow of narcotics, psychotropic substances and illegal diversion of chemical precursors and essential chemicals, as well as information aimed at enforcing actions to prevent this kind of illegal activities;
- g) exchange of information on legislative and practical experience on the prohibition of illegal trade and abuse of narcotics and psychotropic substances;
- h) exchange of specialists and practitioners of professional training, in order to improve their specialization in fighting illegal trade of narcotics and psychotropic substances;
- i) organize workshops on the subject;
- j) establish direct communication connections among corresponding authorities of both Parties, by telephone, electronic mail, telex, facsimile or any other potential and secure devices; and
- k) any other action as agreed upon by the Parties.

ARTICLE IV

Confidentiality of Information

Use of any information, either oral or written, that the Parties may supply in performing activities deriving from this Agreement, shall comply with confidentiality conditions as established by the supplying Party.

ARTICLE V

Cooperation Mechanism

In order to fulfill the purposes stated in this Agreement, the Parties agree to establish the Philippines-Mexico Cooperation Committee against Narcotic Trafficking, Drug Addiction and Related Offenses, hereinafter referred to as "the Committee".

ARTICLE VI

Composition of the Committee

1. The Committee shall be composed of competent authorities of both Parties, which in the case of the Republic of the Philippines shall be the Department of Foreign Affairs and the Secretary of Justice, and in the case of the United Mexican States shall be the Secretariat of Foreign Affairs and the Office of the Attorney General of the Republic.
2. The competent authorities of both Parties may request from public and private institutions of their respective countries, related by their activities to the subject of the present Agreement, to provide specialized advice and technical assistance as might be needed.

ARTICLE VII

The Committee's Functions

1. The main function of the Committee will be to formulate, by consensus of competent authorities of both Parties, a series of recommendations to their Governments as to the most effective way to provide cooperation, in order to comply with commitments hereof, pursuant to the Vienna Convention, thereby fulfilling purposes recommended for that end.
2. Each authority will submit the Committee's recommendations to its respective Government.
3. While performing its main function, the Committee shall undertake complementary functions aimed at promoting, within the context of combat against narcotic trafficking and drug addiction, the most effective application of other bilateral conventions, which may be entered into by the Parties, including those of extradition, mutual legal assistance and execution of penal sentences. Such functions will be performed pursuant to No. 1 in this Article.

ARTICLE VIII

The Committee's Meetings

1. The Committee shall meet in the place and on the date agreed upon by the Parties through diplomatic channels, the venue of the said meetings to alternate between the Philippines and Mexico.
2. During its meetings, the Committee will approve its reports and recommendations by mutual consent between authorities.

ARTICLE IX

Bilateral Consultations

Both Parties shall organize, through diplomatic channels, periodical consultations on the progress of cooperation between competent authorities, in order to perfect the said cooperation and improve its efficiency. Coordination shall take place within a year after the enforcement of this Agreement.

ARTICLE X

Enforcement

This Agreement will be enforced on the thirtieth day after written notice by both Parties through diplomatic channels, pursuant to requirements stated in their national legislation on the matter.

ARTICLE XI

Amendments to the Agreement

This Agreement may be amended by the Parties' mutual consent and amendments agreed upon shall be enforced pursuant to procedures as established in Article X.

ARTICLE XII

Validity and Expiration

This Agreement will be valid indefinitely and may be renounced by any of the Parties, by written notice through diplomatic channels, one hundred and eighty days prior to the termination date.

Done in Mexico City this 12th day of May, Nineteen Hundred and Ninety Seven, in two original English and Spanish copies, both texts being equally valid.

For the Government of the
Republic of the Philippines

For the Government of the
United Mexican States

(SGD.) DOMINGO L. SIAZON, JR.
Secretary for Foreign Affairs

(SGD.) ANGEL GURRIA
Secretary for Foreign Affairs

Entry into Force: February 6, 1998

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