BILATERAL

MEMORANDUM ON BORDER COOPERATION BETWEEN ROYAL MALAYSIA POLICE AND PHILIPPINE NATIONAL POLICE

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This Memorandum is made on the 14th Day of December, 1996

Between

The Royal Malaysia Police (hereafter referred to as the 'RMP')

And

The Philippine National Police (hereafter referred to as the 'PNP')

Witnesseth
Whereas, the RMP and the PNP are desirous of establishing a joint policy on border cooperation and policing system between the RMP and the PNP involving, in particular, the territory of the State of Sabah, Malaysia and the Autonomous Region in Muslim Mindanao and Region IV (Palawan) of the Philippines respectively;

Whereas, meetings between the parties held on the 15th day of March l995 at Kota Kinabalu, Sabah, Malaysia and on 15-17th November 1995 at Davao city, Philippines discussed and emphasized the need for such policy of cooperation and policing system.

Now therefore, the parties hereto have agreed on the following areas of cooperation:

Part 1 (Areas of Discussion)

- Problems affecting Border Crossing between Malaysia (Sabah) and Southern Philippines by way of common waterway boundary.

- The recognition of entry points at KUDAT, SANDAKAN, LAHAD DATU, SEMPORNA and TAWAU in addition to KOTA KINABALU and the FEDERAL TERRITORY of LABUAN, on the part of MALAYSIA and SOUTHERN PALAWAN, MAPUN (CAGAYAN), TAGANAK, SITANGKAY and BANGAO, in addition to MANILA and ZAMBOANGA CITY, on the part of the PHILIPPINES, as agreed upon during the first meeting of the Malaysia-Philippines Joint Committee on Border Cooperation in Manila held from 4 – 6th May 1994.

- Mutual recognition of border crossing passes issued to Malaysian Nationals by the Director General of Immigration of Malaysia (or any other official authorised by him for such purpose) and Philippine Nationals by the Commissioner of Immigration of the Philippines (or any other official authorised by him for such purpose), inclusive of border crew cards issued to crew members of mutually recognised nationally licensed vessels.

- Enforcement of national laws in the respective territorial waters.

- Mutual exchange of information on illegal activities relating to drug trafficking, hijacking, piracy, smuggling, illegal entry, unauthorised extraction of marine resources and marine pollution.

- The determination of the Malaysian authority of check points in Malaysia in barter trading activities and the

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surrender/depositing of armaments carried by barter traders. Check points proposed include:

i)

KARAKIT on Banggi Island – for vessels en route to Kudat and Labuan;

ii)

LIBARAN ISLAND in Sandakan – for vessels from MAPUN (CAGAYAN) or TAGANAK en route to Sandakan;

iii)

TAMBISAN ISLAND in Kinabatangan – for vessels en route to Lahad Datu, Semporna and Tawau.

- Joint anti-crime projects for mutual benefits.

- Communication procedure between the Commissioner of Police, Sabah and the Regional Director PNP of the Autonomous Region in Muslim IV Mindanao and Region IV (Palawan). Direct bilateral written communication, restricted to only matters concerning criminal activities, with copies extended to both the RMP Headquarters at Kuala Lumpur and the PNP Headquarters in Manila through their respective Interpol offices, should be allowed.

- Exchange of visits by RMP officers and PNP officers in the Southern Provinces of the Philippines.

- Mutual cooperation and assistance during calamities and conflagrations, more particularly sea tragedies involving nationals of both countries whether within or outside of their respective territorial waters.

Part 2 (Administration)

- The joint meeting shall be convened bi-annually, once in SABAH and the other in the PHILIPPINES on rotation basis. The dates of the meeting will be determined by the host Police Force.

- Official delegations of the RMP and the PNP to the meeting shall be composed of four (4) senior Police officers from each side to be nominated by their respective Police Force.

Ratification
IN WITNESS WHEREOF, the parties hereto have caused this Memorandum be executed on the day, moth and year of first above written.

For INSPECTOR GENERAL,
ROYAL MALAYSIA POLICE

For CHIEF, PHILIPPINE
NATIONAL POLICE

(Sgd.)
(Tan Sri SAMSURI ARSHAD)
Deputy Inspector General
Royal Malaysia Police

(Sgd.)
(ANDRES M SUPERABLE)
Police Deputy Director General

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Dy Chief PNP for Operations
Philippine National Police

WITNESS

WITNESS

(Sgd.)
(Datuk HJ MAIZAN SHAARI)
Deputy Commissioner
Commissioner of Police, Sabah
Royal Malaysia Police

(Sgd.)
(ALEJANDRO F. DE GUZMAN
Police Chief Superintendent
Director for Maritime Group
Philippine National Police

Entry into Force: December 14, 1996

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