BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF AUSTRALIA ON CO-OPERATION TO COMBAT INTERNATIONAL TERRORISM

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The Government of the Republic of the Philippines and the Government of Australia:

Acknowledging the value of existing co-operation between the Philippines and Australia on defense, intelligence, security and law enforcement matters and desiring to strengthen and expand this co-operation to fight international terrorism;

Reflecting the determination of the international community to prevent, suppress and eliminate international terrorism in all its forms;

Realizing the danger that international terrorist networks pose to the safety of their citizens and the security of the Asia-Pacific region;

Recognizing the importance of highly effective international co-operation at all levels to combating international terrorism;

Noting with concern the emergence of links between international terrorism and transnational organized crime;

Underscoring the total impact of the series of bombings in Indonesia, the Philippines and other possible targets in the Asian region, and its future and collateral consequences in the global economy and security;

Have reached the following understandings;

OBJECTIVE

1. This Memorandum of Understanding provides a framework for co-operation between the Philippines and Australia in preventing and suppressing international terrorism. It reflects the emergence in recent years of international terrorist and organized criminal networks with links into the Asia-Pacific region and the upsurge in terrorist threats and activities.

AREAS OF CO-OPERATION

2. Areas of co-operation under this Memorandum of Understanding will include, others:

(a) information and intelligence assessments; among others:

(b) law enforcement, including the prevention and investigation of terrorist activities;

(c) money laundering and the financing of international terrorism;

(d) the development of appropriate and effective counter-terrorism legal, regulatory and administrative regimes;

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(e) smuggling and border control issues, including document and identity fraud;

(f) illegal trafficking in weapons, ammunition, explosives and other destructive materials or substances; and

(g) defense co-operation relating to international terrorist activities.

FORMS OF CO-OPERATION

3. Forms of co-operation under this Memorandum of Understanding will include, among others:

(a) the exchange of information and intelligence;

(b) joint training exercises and activities;

(c) assistance in the prevention, investigation, and prosecution of acts of terrorism;

(d) collaboration on projects of mutual interest;

(e) capacity-building initiatives, including training and education programs, convening of meetings, seminars, workshops and conferences;

(f) sharing best practice and procedures to strengthen co-operation; and

(g) consultation in regional and multilateral for a on issues relating to international terrorism and transnational organized crime.

IMPLEMENTING AGENCIES

4. This Memorandum of Understanding will be implemented by the relevant agencies from each country, including security, legal, law enforcement, defense, intelligence, finance, immigration and such other agencies that may be responsible for the areas of co-operation identified above.

5. The Philippines and Australia will each designate an agency or mechanism to act as the communication cum liaison centre within its respective territory for the purpose of coordinating its internal implementation of this Memorandum of Understanding by the relevant agencies.

DOMESTIC AND INTERNATIONAL LAW

6. This Memorandum of Understanding will be implemented in accordance with each country's domestic laws and regulations and in accordance with their international legal obligations.

SETTLEMENT OF DISPUTES

7. Any disputes arising from the interpretation or implementation of this Memorandum of Understanding will be settled amicably by consultation or negotiation between the two Governments through diplomatic channels.

AMENDMENT AND REVIEW

8. This Memorandum of Understanding may be amended or reviewed at any time by mutual consent of the two Governments. Amendments will be in writing and will consist of an exchange of letters through diplomatic channels. These amendments will come into effect in accordance with Paragraph 9.

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COMMENCEMENT AND TERMINATION

9. This Memorandum of Understanding will come into effect upon the date of the latter notification between the two Governments, through diplomatic channels, indicating compliance with their respective internal legal requirements. It may be terminated by either Government by giving written notice to that effect to the other Government at least three (3) months in advance of the termination date.

Signed at Canberra on this fourth day of March 2003 in two original copies in the English language.

FOR THE GOVERNMENT OF THE FOR THE GOVERNMENT OF AUSTRALIA

REPUBLIC OF THE PHILIPPINES

(Sgd.) BLAS F. OPLE (Sgd.) ALEXANDER DOWNER

Secretary of Foreign Affairs Minister for Foreign Affairs

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