

August 22, 2001

**MEMORANDUM OF UNDERSTANDING ON DEFENSE
COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF THE PHILIPPINES AND THE GOVERNMENT OF HIS MAJESTY
THE SULTAN AND YANG DI-PERTUAN OF BRUNEI DARUSSALAM**

PREAMBLE

The GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES and The GOVERNMENT OF HIS MAJESTY THE SULTAN AND YANG DI-PERTUAN OF (BRUNEI DARUSSALAM hereinafter referred to jointly as "PARTIES" and singly as "PARTY".

RECOGNISING the existing friendly relations between their governments, countries and peoples;

DESIRING to further develop these friendly relations;

CONSIDERING the wishes of THE PARTIES to promote defense cooperation;

REALISING that for this cooperation to be carried out in an effective, orderly, I directed and continuous manner in furtherance of their mutual interests and j respect for the sovereignty of both nations, an Understanding is required;

hereby have reached the following Understanding.

**ARTICLE 1
DEFINITIONS**

For the purpose of this Understanding,

1.1 "Exercise" means military exercise conducted jointly by the armed forces of the PARTIES.

1.2 "Training" means the attachment and or attendance of defense personnel in and at an institution or organization for the purpose of learning, gaining and sharing of experience conducted by the PARTIES.

1.3 "Understanding" means this Memorandum of Understanding on Defense Cooperation Between THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES and THE GOVERNMENT OF HIS MAJESTY THE SULTAN AND YANG DI-PERTUAN OF BRUNEI DARUSSALAM.

1.4 "Defense personnel" means the military and civilian personnel of the Department of National Defense of the REPUBLIC OF THE PHILIPPINES and the military and civilian personnel of the Ministry of Defense of BRUNEI DARUSSALAM.

**ARTICLE 2
MANAGEMENT OF COOPERATION**

2.1 In order to supervise, manage and implement the Understanding reached between the PARTIES, the PARTIES agree to establish a Joint Working Committee.

2.2 This Committee shall meet alternately between the REPUBLIC OF THE PHILIPPINES and BRUNEI DARUSSALAM and shall be Co-chaired by a Senior defense official of the Department of National Defense of the REPUBLIC OF THE PHILIPPINES and a Senior defense official of the Ministry of Defense of BRUNEI DARUSSALAM.

2.3 The composition of this Committee shall be determined and agreed upon by both PARTIES prior to any meeting of the Committee and may include experts in limited numbers from other Ministries, Departments or Agencies as determined by each PARTY.

2.4 This Committee shall meet at least once a year, alternately in the REPUBLIC OF THE PHILIPPINES and BRUNEI DARUSSALAM. Either PARTY may give notice to the other PARTY requiring the holding of a meeting. Upon the receipt of such notice, the two PARTIES shall consult as to the date and other matters related to the meeting.

2.5 This Committee may set up sub-working committees as and when it deems necessary for the further and better management of this Understanding. These sub-working committees shall report to the Joint Working Committee.

2.6 Any sub-working committee set up by the Joint Working Committee shall be co-chaired by appropriate officers of both PARTIES.

2.7 Only matters pertaining to this Understanding shall be discussed in the meetings of the Joint Working Committee and sub-working committees.

2.8 This Committee shall at the conclusion of each meeting submit a joint report containing only the recommendations to the Department of National Defense of THE REPUBLIC OF THE PHILIPPINES and the Ministry of Defense of BRUNEI DARUSSALAM and no decisions binding on either or both PARTIES shall be made except with the express agreement of both the Department of National Defense of the REPUBLIC OF THE PHILIPPINES and the Ministry of Defense of BRUNEI DARUSSALAM.

2.9 The terms of reference for this Committee shall be drafted at its first meeting and submitted for approval of the Secretary of Defense and Minister of Defense of each PARTY respectively.

ARTICLE 3 SCOPE OF UNDERSTANDING

The PARTIES undertake to actively promote defense cooperation in accordance with international law and their respective national laws and regulations in the following matters:

3.1 Military cooperation as set out in Article 4.

ARTICLE 4 MILITARY COOPERATION

The PARTIES agree that their military cooperation shall be on the following subjects:

4.1 MILITARY TRAINING

4.1.1 Military training of defense personnel of one PARTY by the other shall whenever possible and appropriate be based on reciprocity.