

**AGREED MINUTES OF THE FIRST MEETING OF THE PHILIPPINES-
INDONESIA JOINT COMMISSION FOR BILATERAL COOPERATION
Manila, 6-8 September 1995**

INTRODUCTION

1. In accordance with the Memorandum of Understanding on the Establishment of a Joint Commission for Bilateral Cooperation between the Philippines and Indonesia, the First Meeting of the Joint Commission was held in Manila from 6 to 8 September 1995.
2. The Philippine delegation was led by H.E. Domingo L. Siazon, Jr., Secretary of Foreign Affairs. The Indonesian delegation was led by H.E. Ali Alatas, Minister for Foreign Affairs. The lists of both delegations appear as ANNEXES A and B.
3. The Leaders of both delegations expressed the hope that this historic Meeting would lead to enhanced relations between the two countries, as reflected in their opening statements, the texts of which appear as ANNEXES C and D.
4. The Meeting adopted the Agenda, which appears as ANNEX E.

BUSINESS ARRANGEMENTS

5. The Meeting agreed to form three (3) Working Groups on Consular Matters, on Trade and Investments, and on Agriculture and Forestry. The other agenda items were discussed in plenary.

CONCRETE MEASURES TO PROMOTE BILATERAL RELATIONS

6. The Meeting discussed concrete measures to promote and further enhance bilateral relations between the two countries.

PROBLEMS OF FISHERMEN

7. The Meeting noted that while many cases had been settled properly by the RP-RI Border Committee, some processes might be improved particularly in the following areas:
 - a. establishing measures to lessen instances of intrusions of Filipino fishermen into Indonesian waters;
 - b. dissemination of information on Indonesian laws and regulations concerning the matter;
 - c. immediate notification by either country to the relevant authorities of the other country upon arrest or detention of nationals of that other country;
 - d. standardization of procedures in the identification of persons to be charged and the period of

investigation/detention;

e. maximum expediency in the investigation of cases of detained fishermen, with the objective of bringing the case to trial within the shortest possible time;

f. identification of responsibilities of each country regarding expenses related to the care and maintenance of detained fishermen; and

g. formulation of common criteria for the identification of traditional fishermen.

The Meeting adopted the following procedures:

a. In the event of the arrest/apprehension of nationals of Indonesia or the Philippines in the other's territory, the apprehending authorities, through their respective chains of command, shall inform the other party (Philippine Embassy in Jakarta and/or the Consulate General of the Philippines in Manado, and the Indonesian Embassy in Manila and/or Indonesian Consulate-General in Davao) within 24 hours of such arrest. In cases where there is a lack of communication facilities, the report must be made within 24 hours upon reaching the nearest base, or other offices open during holidays.

b. Investigation of the cases of detained fishermen shall be conducted with the maximum expediency, with the objective of bringing the case to trial within the shortest time possible allowed under each party's legal process.

c. In accordance with international practice and existing laws of each country, each party shall assume responsibility for the subsistence and medical needs of its nationals apprehended by the other party as soon as the national detained has been released from detention and eligible for repatriation.

The Meeting also agreed to pass on the aforementioned observations to the RP-RI Border Committee, for its consideration.

8. The Meeting agreed to explore the possibility of establishing joint ventures in the field of fisheries in the adjoining waters of the Philippines and Indonesia.

9. The Philippine delegation proposed that it would be beneficial to consider schemes similar to the joint venture arrangements between big Philippine fishing companies and Indonesian canneries, through arrangements that would allow Filipino small "traditional fishermen" to fish in Indonesian waters provided that a share of their catch is turned over to Indonesian authorities. The Indonesian delegation will convey the proposal to the authorities concerned.

Both sides agreed to discuss the matter at the next meeting.

MARITIME BOUNDARY DELIMITATION

10. The Meeting agreed that the "Second Senior Officials Meeting on the Delimitation of the Maritime Boundary Between the Philippines and Indonesia" would be held in Davao City early in 1996.

PRESENCE OF INDONESIANS IN SOUTHERN PHILIPPINES

11. The Meeting discussed the presence of Indonesians in Southern Philippines, some of whom have been in the Philippines for two or three generations, without proper documents.

12. The Meeting was informed that the Philippine government would conduct an information drive/survey of these individuals to determine their actual number and circumstances. This will serve as a basis for further discussion on a plan of action to be implemented for this particular group of people.

The Indonesian government through its authorities in the Philippines was requested to assist in the implementation of the survey.

The Meeting agreed to hold technical meetings to discuss the conduct of the Philippine survey.

13. The Meeting also agreed to cooperate in the formulation and implementation of a program for the repatriation of those who wish to return to Indonesia.

COOPERATION IN TRADE AND INVESTMENTS

14. The Meeting noted that two-way trade between the countries increased by approximately 15% on average from 1990 to 1994. Exports by the Philippines increased by 4.38% while Indonesia's increased by 19.11%. In 1994, total trade amounted to US \$ 437,780,000.00.

15. The Meeting agreed to implement a number of trade enhancement measures such as participation in trade fairs organized in each other's country; the holding of in-store trade promotions to disseminate information about each other's products for export and industrial capabilities; and the organization of high-level trade and investment missions attended by representatives from both the government and private sectors.

16. The Philippine delegation submitted for consideration two proposed measures to facilitate market access, namely:

a. a review of tariffs imposed on the following Philippine export products:

(i) HS Code - Plain weave of yarns of
5209.4200 different color, denim greater
than 200 gm (tariff is 25%) .

(ii) HS Code - Other parts of electric ignition
8511.90900 (Tariff is 10%).

- b. allow the entry of Philippine pharmaceutical products which comply with WHO standards.

On the review of tariffs, the Indonesian delegation informed the Philippine delegation that in May 1995, the government of Indonesia had taken some deregulation measures to reduce the tariffs and to eliminate/reduce import surcharges.

The Indonesian delegation will refer the proposed measures to the appropriate authorities.

17. The Meeting took note of the various trade and investment facilitation measures agreed at the Meeting of the BIMP-EAGA Working Group on the Construction Sector held in Palawan from 18 to 19 May 1995. These measures include the exchange of trade and investment missions in the construction sector, the proposed establishment of a One-Stop Action Center on Importation and Exportation, promotion of joint venture projects in the manufacture of construction materials and participation in trade fairs organized by each country's organizations in areas within EAGA.

18. The Meeting agreed that the conclusion of a bilateral investment guarantee agreement would provide an effective springboard for investment promotion. Both sides agreed to" enjoin the concerned agencies to start negotiations and conclude an Investment Guarantee Agreement by the first half of 1996.

19. The Meeting agreed to recommend the formation of Joint Business Councils in each other's capital which would act to foster closer linkages between the business sectors of the two countries. The Meeting recommended that they be formed at the initiative of their respective embassies.

COOPERATION IN AGRICULTURE

20. The Meeting agreed that the Framework of Bilateral Cooperation in Agriculture proposed by the Philippines to the Indonesian side should be transmitted to concerned authorities of Indonesia for more detailed consideration and approval.

21. In response to the Philippine proposal, the Indonesian delegation specifically requested for technical cooperation in coconut, sugar and banana. The Indonesian delegation further requested that implementation of agreements to be forged under the cooperation in agriculture should start in 1997.

22. The Philippine delegation responded that all on-going initiatives on cooperation in agriculture (such as those under the BIMP-EAGA) should continue to be actively pursued. The Philippine delegation proposed that, in the interim, exchanges of farmers' visits and consultations on the details of the desired technical cooperation be encouraged and pursued.

23. Both delegations agreed to establish a Working Group in Agriculture, the first meeting of which would be held in Jakarta.

COOPERATION IN FORESTRY

24. The Meeting noted the draft Memorandum of Understanding on Forestry, which was initialled by Hon. Rolleo L. Ignacio, Undersecretary of Agriculture, for the Government of the Republic of the Philippines, and Hon. Triyono, Senior Adviser to the Minister of Forestry, for the Government of the Republic of Indonesia. The draft MOU appears as ANNEX F.

COOPERATION IN THE FIELD OF COMMUNICATIONS

AIR SERVICES

25. The Meeting agreed that there is a need for representatives of both countries to continue their air consultations on non-consensus items which were still pending in their consultations in Denpasar in August 1995.

TELECOMMUNICATIONS

26. The Indonesian delegation raised the question of the back accounts of DOMSATPHIL for leasing Palapa Satellite transponders of Indonesia.

27. The Philippine delegation informed the Indonesian delegation that PTV-4 had been up-to-date on payments, and assured the Indonesian side that the matter of DOMSATPHIL would be followed up.

28. The Philippine delegation stressed the importance of improving telecommunications in the light of the developments in the BIMP-EAGA. It stated that it envisioned becoming a center for telecommunications training and research and standards development in the ASEAN region. It also emphasized the need to develop networks and linkages to facilitate business contacts and noted that this would entail the harmonization of rules and regulations in telecommunications.

29. The Indonesian delegation noted the Philippine delegation's statement.

COOPERATION IN THE FIELD OF SCIENCE AND TECHNOLOGY

30. The Philippine delegation expressed its interest in initially undertaking collaborative projects in the following fields:

- a. Biodegradation of Manganese Dioxide Tailings;
- b. Microbiological Leaching of Low Grade Copper Ores; and
- c. Joint Project on Aircraft and Avionics Technology.

The Philippine delegation signified its readiness to send experts to Indonesia as early as next year to explore the possibility of developing research and development projects for collaboration and to further strengthen linkages between centers of excellence.