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November 24, 2017

CUSTOMS MEMORANDUM CIRCULAR NO. 202 - 2017

To:

All Deputy Commissioners

All Directors and Division Chiefs

All District/Port Collectors And Others Concerned

Subject: MOA re: Inter-Agency Border Security Coordinating Council

Attached is a copy of the Memorandum of Agreement entered into by Atty. Erastus Sandino B. Austria, District Collector of the Port of Davao, with the various heads of agencies in Davao regarding INTER-AGENCY BORDER SECURITY COORDINATING COUNCIL.

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

ISIDRO S LAPEÑA, PhD, CSEE

Commissioner @

NOV 2 8 2017

MEMORANDUM OF AGREEMENT

INTER-AGENCY BORDER SECURITY COORDINATING COUNCIL

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement on Inter-Agency Border Security Coordinating Council entered into this 15th day of September 2017, by the following memberagencies:

EASTERN MINDANAO COMMAND, a government agency duly existing under the laws of the Philippines with office address at Naval Station Felix Apolinario, Panacan, Davao City herein represented by its Commander, LTGEN REY LEONARDO B GUERRERO AFP, hereinafter referred to as "EMC";

NAVAL FORCES EASTERN MINDANAO, PHILIPPINE NAVY with headquarters located at Naval Station Felix Apolinario, Panacan, Davao City herein represented by its Commander, CAPT RAMIL ROBERTO B ENRIQUEZ PN (GSC), hereinafter referred to as "NFEM, PN";

10th INFANTRY DIVISION, PHILIPPINE ARMY, with headquarters located at Camp General Manuel T Yan Sr., Brgy Tuboran, Mawab, Compostela Valley Province herein represented by its Commander, MGEN NOEL S CLEMENT AFP, hereinafter referred to as "10ID, PA";

TACTICAL OPERATIONS GROUP 11, PHILIPPINE AIR FORCE, with headquarters located at Old Airport, Sasa, Davao City herein represented by its Commanding Officer, LTC JOSE RITHCIE M PABILONA (GSC) PAF, hereinafter referred to as "TOG 11, PAF";

NATIONAL INTELLIGENCE COORDINATING AGENCY REGION XI, a government unit organized and existing under the laws of the Philippines with office address at #05 V. Luna Road, NIC Compound, Quezon City, herein represented by its Regional Director, EDUARDO T. MARQUEZ, hereinafter referred to as "NICA XI";

NATIONAL INTELLIGENCE COORDINATING AGENCY REGION XII, a government unit organized and existing under the laws of the Philippines with office address at #05 V. Luna Road, NIC Compound, Quezon City, herein represented by its OIC-Regional Director, EVARLY D. TAJANLANGIT, hereinafter referred to as "NICA XII";

POLICE REGIONAL OFFICE XI, PHILIPPINE NATIONAL POLICE, a government agency duly existing under the laws of the Philippines with office address at Camp Quintin M Merecido, Buhangin, Davao City, herein represented by its Regional Director, PCSUPT MANUEL R GAERLAN, hereinafter referred to as "PRO XI, PNP";

PNP REGIONAL MARITIME UNIT XI, a government agency duly existing under the laws of the Philippines with office address at Sta. Ana Pier, Davao City, herein represented by the Acting Regional Chief, PSUPT JUEL NEIL O SALCEDO, hereinafter referred to as "PNP RMU XI":

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PNP AVIATION SECURITY UNIT XI, a government agency duly existing under the laws of the Philippines with address at TOG XI, PAF compound, Sasa, Davao City, herein represented by its Unit Chief, PSSUPT JOHN L ESTEBAN, hereinafter referred to as "AVSEU XI";

PNP REGIONAL HIGHWAY PATROL UNIT XI, a government agency duly existing under the laws of the Philippines with address at RHPU 11, Candelaria Street, Ecoland, Davao City, herein represented by its Regional Chief, PSUPT ELISEO O MALANA JR, hereinafter referred to as "PNP RHPU XI";

NATIONAL BUREAU OF INVESTIGATION REGION XI, a government agency duly existing under the laws of the Philippines with office address situated at J.P. Laurel Avenue, Bajada, Davao City, herein represented by Acting Regional Director, ATTY. MARIO FC TONELETE, hereinafter referred to as "NBI XI";

COAST GUARD DISTRICT SOUTHEASTERN MINDANAO, a government agency existing under the law of the Philippine with office address at KM 10, Sasa Wharf, Sasa, Davao City, herein represented by its District Commander, CAPT OSCAR C ENDONA JR PCG (GSC), hereinafter referred to as "CGDSEM";

CIVIL AVIATION AUTHORITY OF THE PHILIPPINES REGION XI, a government agency duly existing under the laws of the Philippines with office address at Diversion Road, Buhangin, Davao City, herein represented by its Area Airport Manager, Area Center XI, ENGR AGNES B UDANG hereinafter referred to as "CAAP XI";

LAND TRANSPORATION OFFICE REGION XI, a government agency duly existing under the laws of the Philippines with office address at LTO Region XI Office Building, Quimpo Boulevard, Davao City, herein represented by Regional Director, ATTY. GOMER J. DY, CESO V, hereinafter referred to as "LTO XI";

PHILIPPINE PORTS AUTHORITY PORT MANAGEMENT OFFICE OF DAVAO, a government agency duly existing under the laws of the Philippines with office address at Port of Davao, Km. 10 Port Area, Sasa, Davao City, herein represented by MS. ANALEE G. AGUILA, hereinafter referred to as "PPA PMO-DAVAO";

MARITIME INDUSTRY AUTHORITY REGION XI, a government agency duly existing under the laws of the Philippines with principal office address at Dcpi Building, Lakandula Street, Davao City, Davao Del Sur, herein represented by its Regional Director, MARY ANN ARMI Z. ARCILLA, hereinafter referred to as MARINA XI:

BUREAU OF CUSTOMS COLLECTION DISTRICT XII, a government agency duly existing under government agency duly existing under the laws of the Philippines, with office address at Sasa Wharf, Port Area, Sasa, Davao City, herein represented by its District Collector, ATTY. ERASTUS SANDINO B. AUSTRIA, hereinafter referred to as "BOC XII";

BUREAU OF IMMIGRATION XI, a government agency duly existing under Commonwealth Act 613 with principal address at Magallanes Drive, Intramuros, Manila, herein represented by Alien Control Officer, MR JOSEPH M QUIZON, hereinafter referred to as "BI XI";

PHILIPPINE DRUG ENFORCEMENT AGENCY REGION XI, a government agency duly existing under and by virtue of Republic Act 9165 or the Dangerous

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Drugs Act of 2002, with office address at Camp Capt. Domingo E Leonor, San Pedro St., Davao City, herein represented by its Regional Director, **DIR III ADZHAR** A ALBANI, CESE, hereinafter referred to as PDEA XI;

DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT REGION XI, a government agency duly existing under the laws of the Philippines with office address at 58 McArthur Highway, Matina, Davao City, 8000, Davao del Sur, herein represented by its Regional Director, MR. ALEX C. ROLDAN, hereinafter referred to as "DILG XI";

- and -

DEPARTMENT OF FOREIGN AFFAIRS MINDANAO / REGION XI, a government agency duly existing under the laws of the Philippines with office address at SM City Davao, Quimpo Blvd, Talomo, Davao City, herein represented by its Acting Assistant Secretary, DFA Davao, ROBERT O FERRER JR., hereinafter referred to as "DFA XI";

WITNESSETH that:

WHEREAS, EMC is mandated to uphold the sovereignty, support the Constitution, and defend the territory of the Republic of the Philippines within its designated area of responsibility against all enemies, foreign and domestic; and perform such other functions as may be provided by law or assigned by higher authorities.

WHEREAS, NFEM, PN is mandated to conduct regular naval and maritime operations within its AOR with a view of averting any transgression on border security and commission of illegal maritime activities in support to the maintenance of peace and security in Philippine Waters.

WHEREAS, 10ID, PA is mandated to conduct development support operations to defeat terrorists and armed peace spoilers; uphold the peace process; and support law enforcement in order to help establish the foundation for inclusive economic and human development in the Area of Responsibility.

WHEREAS, TOG 11, PAF is mandated to plan, control and coordinate the employment of air power within its Area of Responsibility and exercise operational control and supervision over all air force units deployed thereat necessary in preventing and combatting the commission of terrorism, human trafficking, smuggling, sea piracy and robbery and entry and proliferation of illegal drugs in the country.

WHEREAS, PRO 11, PNP is mandated to enforce all laws, prevent and control crimes, maintain peace and order, and secure public safety and internal security with the active support of the community.

WHEREAS, PNP RMU XI is the operational support unit of the PNP, capable to perform all police functions and ensure public safety and internal security over Philippine territorial waters and rivers including ports of entry/exit, sustain the protection of the maritime environment and enforce maritime laws.

WHEREAS, PNP AVIATION SECURITY UNIT XI is mandated to secure all airports in area of responsibility against offensive and terroristic acts that threaten civil aviation, exercise operational control and supervision over all agencies involved

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in airport security operations and enforce all laws and regulations relative to air travel protection and safety.

WHEREAS, PNP REGIONAL HIGHWAY PATROL UNIT XI is one of the eighteen (18) operating units of this Group in the Regional Units whose mandate to enforce Anti-Carnapping, Anti-Hijacking, Anti-Highway Robbery and other pertinent laws (PD 1612 "Anti-Fencing Law", PD 96 "illegal attachment of Sirens, Blinkers and other necessary lights attached on a Motor Vehicle", R.A 4136 "Land Transportation and Traffic Code", Davao City Executive Order 39 "Over-speeding" and Davao City Executive Order 14 "Inspection of Second Hand and Or Surplus Vehicles Display in Davao City") in support to other law enforcement units to ensure all highways are safe and secured.

WHEREAS, NICA XI and XII are mandated to serve as the focal point for the direction, coordination and integration of government activities involving intelligence especially on crimes of terrorism, illegal drugs, human trafficking, smuggling, and piracy which is necessary in the immediate prevention of the commission of unlawful acts and the apprehension of lawless elements.

WHEREAS, NBI XI is mandated to undertake efficient detection and investigation of crimes and other offenses which include maritime threats and transnational crimes contrary to the laws of the Philippines, effects the arrest of the offenders, bring offenders to justice and assist in their prosecution.

WHEREAS, COAST GUARD DISTRICT SOUTHEASTERN MINDANAO, PCG is mandated as per RA 9993 Section 3. Power and Functions. - The PCG shall have the following powers and functions:

a) To enforce regulations in accordance with all relevant maritime international conventions, treaties or instruments and national laws for the promotion of safety of life property at sea within the maritime jurisdiction of the Philippines and conduct port state control implementation;

b) To conduct inspections on all merchant ships and vessels, including but shall not be limited to inspections prior to departure, to ensure and enforce compliance with safety standards, rules and regulations;

c) To detain, stop or prevent a ship or vessel which does not comply with safety standards, rules and regulations from sailing or leaving port.

d) To assist in the enforcement and maintenance of maritime security, prevention or suppression of terrorism at sea, and performance of law enforcement functions, in accordance with pertinent laws, rules and regulations:

e) To assist in the enforcement of laws on fisheries, immigration, tariff and customs, forestry, firearms and explosives, human trafficking, dangerous drugs and controlled chemicals, transnational crimes and other applicable laws within maritime jurisdiction of the Philippines.

WHEREAS, CAAP XI is mandated to establish and prescribe rules and regulations for the inspection and registration of all aircraft owned and operated in the Philippines and all air facilities and for the enforcement of laws governing air transportation essential in securing the integrity of the territory of the Philippines.

WHEREAS, LTO XI is mandated to rationalize the land transportation services and facilities and to effectively implement the various transportation laws, rules and regulations in order to promote and ensure safety and comfort in land travel against terrorism, proliferation of illegal Drugs, human trafficking and smuggling,

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WHEREAS, PPA PMO-DAVAO is mandated to regulate the entry to, exit from, and movement within the port, of persons and vehicles, as well as movement within the port of watercraft in order to safeguard the people against any form of threats and risks that may occur through continued ingress and egress in Philippine Ports.

WHEREAS, MARINA XI is mandated to adopt and enforce rules and regulations on vessel safety and maritime security and to ensure strict compliance therein by all water transport operators and maritime enterprises.

WHEREAS, BOC XII is mandated to adopt and enforce customs rules and regulations to effectively curb illicit trade transactions and all forms of customs fraud such as unlawful entry of smuggled goods and shipment of illegal drugs in the country which are prejudicial to the interest of the Philippines.

WHEREAS, BI XI is mandated to effectively enforce immigration laws, rules and regulations thereby controlling and regulating the movement of persons to, from and within our country by any means of transportation and who are considered as threat to national security and safety.

WHEREAS, PDEA, as the lead agency in the fight against illegal drugs, is mandated and responsible for for efficient and effective enforcement of all provisions of RA 9165 on dangerous drugs and/or precursors and essential chemicals.

WHEREAS, DILG XI is mandated to ensure public safety and promote local government capability towards the maintenance of peace and order through its exercise of continued supervision and control over local government units and continued support to the professionalization of PNP, PNP Maritime Unit, PNP Aviation Security Unit and PNP Highway Patrol Group Office.

WHEREAS, DFA XI is mandated to advise and assist in planning, organizing, directing, coordinating, integrating, and evaluating the total national effort in the field of foreign relations in pursuit of harmonious and strong diplomatic ties with foreign countries.

WHEREAS, being an archipelagic state, there is a great need to secure the maritime boundaries of the Philippines in order to address border security violations and maritime threats to include Terrorism, Illegal Drugs, Human Trafficking, Smuggling, Sea Piracy and Robbery. As such, the parties confirm the importance of enhanced coordination and cooperation among member government agencies through Multi-layered and Inter-Agency approach in addressing border security concerns through collaborative, concerted, collegial, innovative and responsive actions.

WHEREAS, for this purpose with the ultimate goal of further strengthening maritime border safety and security thereby protecting our maritime waters and the environment in general, a Border Security Forum has been conducted on 27 July 2017 wherein the parties have endeavored and agreed to create and establish an "Inter-Agency Border Security Coordinating Council" with the following mandates, functions, roles and responsibilities:

MANDATES and FUNCTIONS:

1. To integrate, coordinate and synchronize efforts to secure our

borders.

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To create beneficial conditions for social and economic 2. development in Region 11.

To initiate measures to reduce threats of terrorism and 3. transnational crimes.

To promote free and secure movement of persons, goods, services and investments across borders.

ROLES and RESPONSIBILITIES:

Collect, Process and Disseminate actionable intelligence to prevent/deter possible threats.

Coordinate and Integrate efforts of all agencies pertaining to 2.

law enforcement, safety, search and rescue and environmental protection.

Coordinate policies and programs pertaining to border security.

NOW, THEREFORE, for and in consideration of the mandates and objectives of the Parties to enhance border security, the above-named MEMBER-AGENCIES have hereto AGREED, as they hereby AGREE, on the following undertakings:

- A. EASTERN MINDANAO COMMAND undertakes and commits itself to perform the following tasks:
 - 1. To conduct regular patrol and surveillance in all land areas under its Area of Responsibility (AOR).

2. To provide security measures and act as blocking force in preventing unlawful activities of lawless elements.

3. To create and establish security posts at strategic areas with a view of aiding the local government units in monitoring and promoting the welfare of all visitors and/or tourists present within the AOR.

4. To render immediate assistance and support during emergency

situations or as the need arises.

5. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

6. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

B. NAVAL FORCES EASTERN MINDANAO (NFEM), PHILIPPINE NAVY undertakes and commits itself to perform the following tasks:

1. To create and establish security posts at strategic areas and conduct

regular patrol operations and surveillance within its AOR;

2. To conduct coordinated and synchronized sea patrol and surveillance with CGDSEM and PNP Maritime Group in order to address and respond to reports, information and commission of border security violations and illegal maritime activities.

3. To render immediate assistance and support during emergency situations or as the need arises.

4. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

C. 10th INFANTRY DIVISION, PHILIPPINE ARMY undertakes and commits itself to perform the following tasks:

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- 1. To create and establish random and mobile security posts and checkpoints at strategic areas and conduct regular checkpoints, patrol operations and surveillance within its AOR.
- 2. To render immediate assistance and support during emergency situations or as the need arises.
- 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
- 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- D. TACTICAL OPERATIONS GROUP 11, PHILIPPINE AIR FORCE undertakes and commits itself to perform the following tasks:
 - 1. To assist, communicate and coordinate with the CGDSEM and PNP Maritime Group and other concerned member agencies primarily in the conduct and execution of tactical air operations and other air support activities within the AOR which require the corresponding deployment/use of air assets.
 - 2. To prepare readily available air assets in support to patrol operations and surveillance if the situation so requires the need of deployment/use of air assets.
 - 3. To render immediate assistance and support during emergency situations or as the need arises.
 - 4. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- E. POLICE REGIONAL OFFICE XI, PHILIPPINE NATIONAL POLICE undertakes and commits itself to perform the following tasks:
 - 1. To enforce and implement laws and local ordinances to ensure the protection of life and property.
 - 2. To create and establish random and mobile security posts and checkpoints at strategic areas and conduct regular checkpoints, patrol operations and surveillance within its AOR.
 - 3. To maintain peace and order and perform such other functions necessary to ensure public safety and security.
 - 4. To provide all support and assistance to the PNP Maritime Group, which is in-charge in the performance of police and law enforcement functions over Philippine territorial waters, and other concerned member agencies as the need arises.
 - 5. To render immediate assistance and support during emergency situations or as the need arises.
 - 6. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 7. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

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- F. PNP REGIONAL MARITIME UNIT XI undertakes and commits itself to perform the following tasks:
 - 1. To take the lead in the enforcement and implementation of pertinent applicable laws and local ordinances on border security, maritime concerns and other police functions in territorial waters and ensure strict compliance thereto.
 - 2. To establish security posts and coordinate with CGDSEM and other concerned government agencies for the conduct of daily sea patrol and surveillance within AOR aimed at securing the territorial waters against any violations of border security, maritime laws and fishery laws.
 - 3. To coordinate with other government agencies with respect to the investigation and filing of cases involving violations of pertinent applicable laws and local ordinances on border security, maritime laws and fishery laws within its AOR.
 - 4. To render immediate assistance and support during emergency situations or as the need arises.
 - 5. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 6. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- G. PNP AVIATION SECURITY UNIT XI undertakes and commits itself to perform the following tasks:
 - 1. To secure all airports in area of responsibility in coordination with PNP Units and other concerned government agencies, against offensive and terroristic acts, human trafficking, bringing into the country illegal drugs and other unlawful acts.
 - 2. To render immediate assistance and support during emergency situations or as the need arises.
 - 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- H. PNP REGIONAL HIGHWAY PATROL UNIT XI undertakes and commits itself to perform the following tasks:
 - 1. To enforce and implement pertinent laws on anti-carnapping, anti-kidnapping, anti-fencing, anti-piracy and anti-highway robbery and land transportation and traffic rules and other laws within its mandate and ensure strict compliance thereto.
 - 2. To create and establish security posts and checkpoints at strategic areas and conduct regular checkpoints, patrol operations and surveillance within its AOR.
 - 3. To render immediate assistance and support during emergency situations or as the need arises.
 - 4. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

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- 5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- I. NATIONAL INTELLIGENCE COORDINATING AGENCY XI and XII undertake and commit themselves to perform the following tasks:
 - 1. To provide relevant intelligence or information on crimes that have serious implications to the country's national security as follows: crime of terrorism, illegal drugs, human trafficking, smuggling, and piracy in order to address the intelligence requirements of the different member-agencies to this agreement.
 - 2. To render immediate assistance and support during emergency situations or as the need arises.
 - 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- J. NATIONAL BUREAU OF INVESTIGATION XI undertakes and commits itself to perform the following tasks:
 - 1. To conduct investigation and/or render assistance to the PNP, PNP Maritime Group and concerned government agencies in the investigation on crimes constituting violations of border security and maritime laws which include illegal drugs, human trafficking, smuggling, sea piracy and robbery.
 - 2. To render immediate assistance and support during emergency situations or as the need arises.
 - 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- K. COAST GUARD DISTRICT SOUTHEASTERN MINDANAO undertakes and commits itself to perform the following tasks:
 - 1. To enforce regulations in accordance with all relevant maritime international conventions, treaties or instruments and national laws for the promotion of safety of life property at sea within the maritime jurisdiction of the Philippines and conduct port state control implementation;
 - 2. To inspect on all merchant ships and vessels, including but shall not be limited to inspections prior to departure, to ensure and enforce compliance with safety standards, rules and regulations;
 - 3. To detain, stop or prevent a ship or vessel which does not comply with safety standards, rules and regulations from sailing or leaving port;
 - 4. To investigate the inquire into the causes of all maritime accidents involving deaths, casualties and damage to properties:
 - 5. To assist in the enforcement and maintenance of maritime security, prevention or suppression of terrorism at sea, and performance of law enforcement functions, in accordance with pertinent law, rules and regulations:
 - 6. To assist in the enforcement of laws on fisheries, immigration, tariff and customs, forestry, firearms, and explosives, human trafficking.

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dangerous drugs and controlled chemicals, transnational crimes and other applicable laws within the maritime jurisdiction of the Philippines;

7. To board and inspect all types of merchant ships and watercrafts in the performance of this functions:

- 8. To conduct regular patrols, monitoring and surveillance in coordination with PNP Maritime Group and other concerned agencies, within the AOR to ensure border security and safeguard from any commission of illegal acts in the maritime jurisdiction of the Republic of the Philippines.
- 9. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- L. CIVIL AVIATION AUTHORITY OF THE PHILIPPINES XI undertakes and commits itself to perform the following tasks:
 - 1. To provide assistance to the TOG XI before, during and after the execution of tactical air operations and other air support activities within AOR in securing the maritime borders of the Philippines.

2. To render immediate assistance and support during emergency situations or as the need arises.

3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

- M. LAND TRANSPORTATION OFFICE XI undertakes and commits itself to perform the following tasks:
 - 1. To assist the PNP and other concerned agencies in the maintenance of peace, order and security through the implementation of transportation laws, rules and regulations on the registration of motor vehicles.

2. To render immediate assistance and support during emergency situations or as the need arises.

3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

- N. PHILIPPINE PORTS AUTHORITY PORT MANAGEMENT OFFICE OF DAVAO undertakes and commits itself to perform the following tasks:
 - 1. To provide access to all ports, wharves, piers, harbors and other areas to member- agencies necessary in the enforcement of border security and maritime laws, rules and regulation.
 - 2. To assist the CGDSEM and PNP Maritime Group, through the regulation of the entry to, exit from, and movement within the port of watercraft.
 - 3. To render immediate assistance and support during emergency situations or as the need arises.
 - 4. To maintain peace and order inside the port, in coordination with the PNP and other concerned agencies.

PNP and other concerned agencies.

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5. To render immediate assistance and support during emergency situations or as the need arises.

6. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to

appropriate member agencies.

7. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed

- O. MARITIME INDUSTRY AUTHORITY XI undertakes and commits itself to perform the following tasks:
 - 1. To provide for the effective supervision, regulation and rationalization of the organizational management, ownership and operations of all water transport utilities and other maritime enterprises in the AOR.

2. To order or encourage vessel operators/ owners to render immediate assistance and support during emergency situations or as the need arises.

3. To render immediate assistance and support during emergency situations or as the need arises.

4. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.

5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed

upon.

- P. BUREAU OF CUSTOMS COLLECTION DISTRICT XII undertakes and commits itself to perform the following tasks:
 - 1. To allow access to customs zone to the extent that will enable member-agencies to enforce and implement existing maritime laws, subject to the limitations that may be provided by the Customs Modernization and Tariff Act.
 - 2. To request the assistance of the CGDSEM and PNP Maritime Group with respect to the supervision and control over the entrance and clearance of vessels and aircrafts engaged in foreign commerce.

3. To render immediate assistance and support during emergency situations or as the need arises.

4. To share and disseminate with appropriate member-agencies on any available intelligence information vital in resolving border security issues;

5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

Q. BUREAU OF IMMIGRATION REGION XI undertakes and commits itself to perform the following tasks:

1. To enforce its mandate to regulate the entry, sojourn of aliens;

2. To coordinate with the CGDSEM, PNP Maritime Group and other government agencies if conduct of surveillance is necessary on foreign vessels and other foreign sea craft sailing in and out within its area of responsibility:

3. To render immediate assistance and support in cases of emergencies that BI is of help:

4. To share and disseminate with appropriate member-agencies on any available intelligence information vital in resolving border security issues;

5. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

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- R. PHILIPPINE DRUG ENFORCEMENT AGENCY REGION XI undertakes and commits itself to perform the following tasks:
 - 1. To provide support and assistance to concerned member-agencies during drug operations by taking a lead role in the investigation and prosecution of drug cases;
 - 2. To assist and coordinate with the CGDSEM and PNP Maritime Group, PN and other concerned member-agencies as well as other bantay dagat groups in all coastal communities in order to minimize if not prevent the entry and exit of illegal drugs, contraband and other effects of illegal activities.
 - 3. To conduct consistent monitoring and raids to intensify the campaign against the movement of illegal drugs within Eastern Mindanao Command maritime jurisdiction;
 - 4. To render immediate assistance and support during emergency situations or as the need arises.
 - 5. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies such as but not limited to smuggling, drug and human trafficking.
 - 6. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- S. DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT REGION XI undertakes and commits itself to perform the following tasks:
 - 1. To exercise supervision over the local governments and coordinate with PNP, PNP Maritime Group and PNP Aviation Security Unit to ensure promulgation of local ordinances and enforcement of law as well as local ordinances thereby maintaining peace and order within the AOR.
 - 2. To render immediate assistance and support during emergency situations or as the need arises.
 - 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.
- T. DEPARTMENT OF FOREIGN AFFAIRS MINDANAO / REGION XI undertakes and commits itself to perform the following tasks:
 - 1. To undertake efforts in promoting foreign relations and coordination with neighbouring countries purposely to address border security and maritime concerns.
 - 2. To render immediate assistance and support during emergency situations or as the need arises.
 - 3. To share and disseminate pertinent, relevant and actionable intelligence or information about certain border security violations to appropriate member agencies.
 - 4. To perform such other functions and duties consistent with its mandate relative to the implementation of the border security plan agreed upon.

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ON ADMIN AND SUPPORT: The admin and logistical requirements of ALL MEMBER-AGENCIES shall be sourced from the existing program of respective MEMBER-AGENCIES.

ON CONFIDENTIALITY OF INFORMATION AND SECURITY OF DOCUMENTS: In handling, transferring and communicating any confidential document and/or information, ALL MEMBER- AGENCIES are directed to exercise and observe utmost diligence consistent with existing security measures. MEMBER-AGENCIES shall likewise protect personal data that shall be gathered in the course if the performance of their official duties in accordance with the provisions of Republic Act 10173 or the Data Privacy Act of 2012.

ON EFFECTIVE DATE: This Memorandum of Agreement is deemed effective upon signature of MAJORITY of the MEMBER-AGENCIES.

ON SEVERANCE OF MEMBERSHIP: In case a MEMBER-AGENCY decides to severe its membership in the council, it shall give a thirty (30) day advance written notice to ALL MEMBER-AGENCIES.

ON TERMINATION: The Memorandum of Agreement shall remain in force and effect unless otherwise agreed by ALL MEMBER-AGENCIES in writing. However, the termination of this MOA shall be without prejudice to the existing and ongoing projects being undertaken under this Memorandum unless otherwise agreed by ALL MEMBER-AGENCIES in writing.

ON AMENDMENT: Any amendment to this MOA shall be made in writing by mutual written agreement among ALL MEMBER-AGENCIES.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures this __ day of ___ 2017 in Davao City.

EASTERN MINDANAO COMMAND

by:

LTGEN REY LEONARDO B **GUERRERO AFP**

Commander, EMC

10th INFANTRY DIVISION, PA

by:

MGEN NOEL S CLEMENT AFP

Commander, 10ID, PA

NAVAL FORCES EASTERN MINDANAO RN

by:

TOG 11, PAF

by:

CAPT RAMIL/ROBERTO B ENRIQUEZ LTC JOSE RITCHIE M PABILONA (GSC) PAF

(GSC) PN

Commander, NFEM

Commander, TOG 11

Memorandum of Agreement on Inter-Agency Border Security Coordinating Council

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PRO XI, PNP

by:

PNP REGIONAL MARITIME UNIT XI

PCSUPT MANUEL R GAERLAN

Regional Director

PSUPT JUEL NEIL O. SALCEDO

Acting Regional Chief

NATIONAL INTELLIGENCE COORDINATING AGENCY XI

by:

NATIONAL INTELLIGENCE COORDINATING AGENCY XII

by:

ARDO T. MARQUEZ

Regional Director

EVARLY D. TAJANLANGIT

OIC- Regional Director

COAST GUARD DISTRICT SOUTHEASTERN MINDANAO

by:

CIVIL AVIATION AUTHORITY OF THE PHILIPPINES XI

by:

CAPT OSCAR C ENDONA JR PGG (GSC)

District Commander

AGNES B. UDANG

Area/Airport Manager Area Center XI

LAND TRANSPORATION OFFICE XI

by:

PPA PMO- DAVAO

by:

ATTY. GOMER J. DY, CESO V

Regional Director

MS. ANALEE G. AGUILA

Acting Port Manager

MARINA REGION XI

by:

BUREAU OF CUSTOMS COLLECTION

DISTRICT XII

by:

Regional Director

ATTY. ERASTUS SANDINO B. AUSTRIA

District Collector

DEPARTMENT OF FOREIGN AFFAIRS MINDANAO/REGION XI by:

DEPARTMENT OF **INTERIOR** LOCAL GOVERNMENT XI

ROBERT O FERRER JR.

Acting Assistant Secretary, DFA Davao Regional Director

MR. ALEX C. ROLDAN

NATIONAL BUREAU OF INVESTIGATION XI

by:

PNP REGIONAL HIGHWAY PATROL **UNIT XI**

by:

ATTY. MARIO C TONELETE

Acting Regional Director

PŚUPT ELISĖO O MALANA JR

Regional Chief

PHILIPPINE DRUG ENFORCEMENT AGENCY XI

by:

PNP AVIATION SECURITY UNIT XI

by:

DIR III ADZHAR A. ALBANI, CESE

Regional Director

. ESTEBAN

Unit Chief

BUREAU OF IMMIGRATION XI

by:

MR JOSEPH M QUIZON

Alien Control Officer

Noted by:

GENERAL EDUARDO M AÑO AFP

Chief of Staff, Armed Forces of the Philippines

Approved by:

HON. DELFIN N LORENZANA

Secretary, Department of National Defense

Memorandum of Agreement on Inter-Agency Border Security Coordinating Council

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ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES) Done in the: City of Davao) ss.

BEFORE ME, a notary public for and in the City of Davao on this day of ath day of морь., 2017, personally appeared the following:

NAME	PROOF OF IDENTITY
LTGEN REY LEONARDO B GUERRERO AFP	
MGEN NOEL S CLEMENT AFP	
CAPT RAMIL ROBERTO B ENRIQUEZ(GSC) PN	
LTC JOSE RITCHIE M PABILONA (GSC) PAF	
PCSUPT MANUEL R GAERLAN	
PSUPT JUEL NEIL O. SALCEDO	
EDUARDO T. MARQUEZ	
EVARLY D. TAJANLANGIT	
CAPT OSCAR C ENDONA JR PCG (GSC)	
ENGR. AGNES B. UDANG	
ATTY. GOMER J. DY, CESO V	
MS. ANALEE G. AGUILA	
MARY ANN ARMI Z. ARCILLA	
ATTY. ERASTUS SANDINO B. AUSTRIA	
ROBERT O FERRER JR.	
MR. ALEX C. ROLDAN	
ATTY. MARIO FC TONELETE	4min 004-0115 7486
PSUPT ELISEO O MALANA JR	4min 004-0115 7486-1
PSSUPT JOHN L. ESTEBAN	
DIR III ADZHAR A. ALBANI, CESE	
MR JOSEPH M QUIZON	

known to me and to me known to be the same persons who executed the foregoing instrument and they acknowledged to me that the same is their free and voluntary act and deed and that of the corporation herein represented.

WITNESS MY HAND AND NOTARIAL SEAL, on the date and place first above-written.

Doc. No. 41es;

Page No. 92;

Book No. 71;

Series of 2017

December 31, 2017

04/49 BANSALAN, DAVAO DEL SUR 14/15 DIGOS CITY, DAVAO DEL SUF

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INTOS ST. BANSALAN

Memorandum of Agreement on Inter-Agency Border Security Coordinating Council

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Internal	Admin Group
Received	by: VICKY REYES
Date:	
Time:	1/3)



Republic of the Philippines Department of Finance BUREAU OF CUSTOMS PORT OF DAVAO

COLLECTION DISTRICT XII
DAVAO



BY:

BUREAU OF CUSTOMS OFFICE OF THE COMMISSIONER

NOV 10 2017

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BUREAU OF CUSTOMS
Office of the Communications
Incoming Document No.

MEMORANDUM

FOR:

ISIDRO S. LAPEÑA, PhD, CSEE

Commissioner

THRU

ATTY. JACQUELYN L. DE GUZMAÑ

OIC Administration Office

Internal Administration Group

GLADYS F. ROSALES, CESE

OIC Deputy Commissioner

Internal Administration Group

FROM

ATTY. FRASTUS SANDINO B. AUSTRIA

District Collector, Port of Davao

SUBJECT :

MEMORANDUM OF AGREEMENT ON INTER-AGENCY

BORDER SECURITY COORDINATING COUNCIL

DATE

October 27, 2017

BACKGROUNDP

1. MEMORANDUM OF AGREEMENT OF INTER-AGENCY BORDER SECURITY COORDINATING COUNCIL

The Bureau of Customs (BOC) is tasked to curb elicit illegal trade and all other forms of Customs frauds. In line with this, BOC is mandated to secure strong support coming from other government offices especially during overlapping duties with other offices.

To perform these two mandates, the Collection District XII entered into a Memorandum of Agreement (MOA) with 21 other government agencies in Eastern Mindanao Region, which created the Inter-Agency Border Security Coordinating



Council wherein signatories of the Agreement shall co-equally contribute in reducing threats of terrorism and transnational crimes.

By this means, the Collection District XII has agreed to allow access of Customs zone, render immediate assistance, and disseminate appropriate intelligence to the other council members. It also allows the request and assistance from the Coast Guard District Southeastern Mindanao and Philippine National Police Maritime Group when necessary.

ACTION TAKEN

- 2. Respectfully submitted with this memorandum is a copy of the MOA duly signed by the majority of Council's member-agencies.
 - 3. For the information of that Office.