

**MEMORANDUM OF UNDERSTANDING BETWEEN NEW YORK CITY
POLICE DEPARTMENT AND THE PHILIPPINE NATIONAL POLICE
ON COOPERATION IN PREVENTING AND COMBATING
TRANSNATIONAL CRIMES**

The New York City Police Department ("NYPD") and the Philippine National Police, ("PNP") hereinafter referred to as "the Parties";

DESIRING to further develop cooperation between the Parties in the spirit of partnership and in the framework in preventing and combating transnational crime;

CONCERNED by the increasing threat of transnational crime;

REALIZING the need for cooperation between the Parties for effective law enforcement in preventing and combating transnational crime;

PURSUANT to the prevailing laws and regulations in their respective countries, the Parties have reached the following understanding:

Article 1

DEFINITIONS

For the purpose of this Memorandum of Understanding, the following terms are defined as indicated:

1. "Transnational Crime" refers to crime that takes place in whole or in part across national borders, to include: illicit drug trafficking, terrorism, arms smuggling, human trafficking, maritime fraud, cyber crimes, money laundering, commercial crimes, bank offenses, credit card fraud, and the production, distribution and use of fraudulent travel documents.
2. "Intelligence Information" means information that tends to prove or disprove the existence of criminal activity, identify those engaged in criminal activity, identify their methods of operation, reveal evidence of the criminal activity, and is necessary for and the detection and prevention of transnational crime.
3. "Joint activities" means any activity engaged in jointly by the Parties in order to prevent detect and deter transnational crime.

Article 2

GENERAL PROVISIONS

It is in the interest of public safety for the citizens of New York and citizens of the Republic of the Philippines that the Parties enter into this Memorandum of Understanding in order to facilitate a cooperative approach to promote more effective law enforcement and prevent transnational crime.

The implementation of this Memorandum of Understanding will respect the principles of sovereignty, territorial integrity, non-interference in internal affairs, equality, and mutual benefit to the Parties.

In deference to national sovereignty and principles of international law, neither Party will exercise in the other Party's territory any competence or function that exclusively belongs to the latter's authority.

This agreement cannot and is in no way meant to conflict with the provisions of any treaty negotiated between the governments of the United States and the Republic of the Philippines.

Article 3

OBJECTIVES

The objective of this Memorandum of Understanding is to promote cooperation between the Parties, particularly with respect to training and prevention of transnational crime.

Article 4

AREAS OF COOPERATION

The parties shall cooperate in preventing and combating transnational crime, in particular, criminal acts relating to:

1. Illicit Drug Trafficking;
2. Terrorism;
3. Arms Smuggling;
4. Human Trafficking;
5. Maritime Fraud;
6. Commercial Crime, Bank Offenses, and Credit Card Fraud;
7. Cyber-crime;
8. Money Laundering;
9. Fraudulent Travel Documents; and
10. Other types of crime not specifically addressed in this MOU that the Parties may subsequently determine to be necessary.

Article 5

FORMS OF COOPERATION

For the implementation of this Memorandum of Understanding, the Parties may:

1. Exchange criminal intelligence information and materials consistent with the terms of this Memorandum of Understanding in compliance with all relevant legislation and regulations and within the limits of their authority;
2. Undertake coordinated police activities in accordance with existing laws and regulations and within the limits of their authority to prevent and combat transnational crime;