

**CONFIDENTIAL MEMORANDUM OF UNDERSTANDING BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND
THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE ON
MUTUAL COOPERATION ON THE DEPLOYMENT OF AIR
MARSHALS**

The Government of the Republic of the Philippines and the Government of the Republic of Singapore, hereinafter referred to as "the Parties,"

Realizing that trans-border terrorist activities may pose a very real danger to the stability and security of the peoples and air travelers of, and commuting between, the two countries;

Recognizing that preventing the increased threat to civil aviation requires international cooperation;

Recognizing the need to strengthen international law enforcement cooperation at all levels in combating terrorism, including the enhancement of aviation security in a comprehensive manner, and pursuant to Article 6(2) of the Convention on Offences and Certain Other Acts Committed on Board Aircraft, Article 10(1) of the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, and the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, and any other relevant International Civil Aviation Organization (ICAO) conventions, protocols, and regulations on the carriage of weapons on board an aircraft, to which the Philippines and Singapore are both Parties;

Acting in the spirit of partnership and cooperation, Have reached the following understandings:

1. Definition of Terms

For the purpose of this Memorandum of Understanding, the following definitions shall be used:

1.1 air marshal - a person who is employed, trained and authorized by his Government to board and travel on aircraft operated by his national carrier with the consent of that Party, with his firearm and other operational equipment necessary to provide, maintain or restore security or order to the said aircraft and the passengers and crew while it is airborne.

1.2 airborne - the time when the external doors of an aircraft are closed before flight, up to the time when the external doors are opened for disembarkation.

1.3 firearm - any lethal barreled weapon of any description from which any shot, bullet or other missile can be discharged.

1.4 loaded firearm - a firearm that contains shots, bullets and other missile in its magazine or chamber.

1.5 operational equipment - any device or contraption that can assist an air marshal in performing his function with utmost effectiveness, such as restraining devices, armor vests, wire cutters, pliers, gas masks, and the like. These may also include electronic or computer gadgets.

1.6 non-lethal weapon - any weapon that can temporarily incapacitate an individual, that would enable an air marshal to control his or her behavior, such as batons, taser guns, stun guns and stun grenades.

1.7 national carrier - an airline registered in the Republic of the Philippines or the Republic of Singapore, as the context so requires, on whose aircraft air marshals of the respective Party shall be authorized to board and travel in accordance with this Memorandum and relevant ICAO Standards.

2. Objective

2.1 The Parties undertake to cooperate with each other in the deployment of air marshals on board aircraft of their respective national carriers to and from the airports of the two countries.

3. Applicable Laws and Implementation of this Memorandum

3.1 The Parties will implement this Memorandum of Understanding in accordance with their respective laws and regulations and in accordance with their international legal obligations.

3.2 The Parties will conclude an Implementing Agreement to set out the operational arrangements of each Party after the coming into effect of this Memorandum of Understanding.

4. Frequency of Flights with Air Marshals on Board

4.1 Each Party will determine the frequency of the flights between the airports of the two countries on which air marshals will be deployed on their respective national carrier's aircrafts. The Parties may deploy air marshals on board their respective aircraft of their own national carriers only.

4.2 A Party which has relevant intelligence information concerning the other Party's national carrier may provide such information to the other Party with a request to it to deploy its air marshals on aircraft of such a carrier. The requested Party shall consider such request based on intelligence information received from the requesting Party and may accede to the request where it deems appropriate.

5. Number of Air Marshals on Each Flight

5.1 Each Party will decide on the number of its air marshals that will be deployed on board aircraft operating any particular flight of its national carrier.

6. Equipment

6.1 The air marshals will be permitted to carry the following items on board the aircraft: