ASEAN-China Entry-Exit Quarantine Meeting on SARS

The ASEAN-China Entry-Exit Quarantine Meeting on SARS was held at the Diaoyutai State Guest House’s Fang Fei Yuan in Beijing on 1-2 June 2003, with Ambassador Josue L. Villa leading the Philippine delegation. The Chinese delegation was led by H.E. Mr. Li Changqiang, Minister of the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ).

Delegates exchanged ideas on SARS containment and prevention through screening of passengers at all entry and exit points. ASEAN and China agreed to continue cooperative efforts in eradicating the disease. The Entry-Exit Quarantine Action Plan for Controlling the Spread of Severe Acute Respiratory Syndrome (SARS) by Governments of ASEAN and the People’s Republic of China was adopted on 1 June 2003.

The other members of the Philippine delegation included Dr. Antonio Amparo of the Philippine Department of Health and the following officials from the Manila International Airport Authority: Mr. Marcelino Yumul, Mr. Peter Mutuc, Dr. Augusto Rillo, and Mr. Alfredo Vasquez. Embassy Second Secretary Bernadette Fernandez assisted the delegation.

A visit to the Beijing Capital Airport and the International Health Center of AQSIQ was arranged by AQSIQ for the members of the delegation on 2 June 2003. Following this exposure trip, the heads of delegation called on H.E. Madame Wu Yi, Vice Premier of the State Council and concurrent Minister of Health and commander-in-chief of the Anti-SARS Action Center.

Kalayaan 2003: Sa Matatag na Republika: Bayan Ko, Sagot Ko!

Her Excellency’s Message on the 105th Anniversary of Philippine Independence

Malugod kong binabati ang buong samayanang Filipino kabiliang ang ating mga world-class Filipino workers sa iba’t-ibang pang ng daigdig sa pagdiriwang ng ating 105 Araw ng Kasarinlan.

Sa paggunita sa proklamasyon ng ating kasarinlan at pagkalakatang ng ating Republika noong Hunyo 12, 1898, isaalala natin ang katapangan, kabayanan at pag局ubwis ng buhay ng ating mga kabayayan upang matamo ang kalayaang tinatamasa natin ngayon. Sa gayon, higit nating papahalagahan at pag局ibuyuhin ang pagganap sa ating tulong ulit itaguyod ang isang masagang at masiglang Republika.

Today, 105 years after, we face diverse challenges and threats to our democracy that seek to undermine the freedom won for us by our forebears. These are the threats and challenges posed by terrorism, mass poverty, ignorance, graft and corruption, apathy and lack of opportunity for every Filipino to live a life of certainty, prosperity and dignity. We are now called upon to band together as a people to confront these obstacles and move our country forward towards its rightful place in the community of nations.

The struggle that won for us our independence must not and did not end in 1898. The country’s independence, and potential for greatness, can only be fully realized if we do our part in continuing the fight to achieve our national aspirations. In celebrating this important occasion, let us thus exhibit the same unity, perseverance and sacrifice as those of our forebears in building a strong Republic, able to succeed amidst the challenges and opportunities of the 21st century and beyond.

Let us all, in our individual and collective capacities, contribute to national good.

Mabuhay ang Pilipino! Mabuhay ang matatag na Republika ng Pilipinas!

Manila, 12 June 2003

Gloria Macapagal-Arroyo
President of the Republic of the Philippines

Migrant Workers’ Week Message

As we commemorate the passage into law of the Migrant Workers’ Act eight years ago, we honor the millions of Overseas Filipino Workers (OFWs) who have become - and continue to be - in the life of our nation, major players in ensuring the Philippines’ economic and social stability.

Our hardworking, enterprising and law-abiding kababayans help keep the economy afloat during times of financial crisis. The result of their labor has become evident in the countryside - with the sight of new houses, more children going to school and the emergence of new businesses.

As we honor them today, we renew the Department of Foreign Affairs’ commitment to giving the OFWs full support and assistance in the areas of welfare and protection. We also look forward to working with them, as they exercise their long overdue right of suffrage in the upcoming 2004 elections.

I have stressed time and again that a world-class foreign service entails the ability to relate, to help and to protect our nationals overseas. This can only be done through genuine empathy, respect and appreciation for our compatriots. I assure our kababayans that the Department of Foreign Affairs will continue to work hand in hand with them in order to ensure their welfare and at the same time, bring out the best of what the Philippines can offer to the world.

Mabuhay ang ating mga OFWs!
ASEAN + 3 High Level Symposium on SARS

The ASEAN, China, Japan, and Republic of Korea (10+3) High-level Symposium on Severe Acute Respiratory Syndrome (SARS) was held from 3 to 4 June 2003 at the Presidential Plaza Beijing State Guest Hotel.

The Philippines was represented by Dr. Antonio Amparo, Division Chief of the Bureau of Quarantine and Surveillance of the Department of Health, and Embassy Second Secretary Ms. Bernadette Therese C. Fernandez.

Organized by the Department of International Cooperation of the Ministry of Health and co-organized by the Chinese Medical Association, the symposium successfully addressed the need for participating countries and international organizations to exchange information and experience on SARS prevention and treatment, particularly on epidemiological study, etiological study, clinical diagnosis and treatment — including the use of traditional and alternative medicine.

Aside from health officials of the ASEAN + 3 countries, the World Health Organization and health officials from Mongolia, the United States, the United Kingdom, France and Canada were invited to attend the symposium. Embassy representatives were also invited to attend the meeting.

H.E. Madame Wu Yi, Vice Premier of the State Council and concurrent Minister of Health and commander-in-chief of the Anti-SARS Action Center, attended the opening ceremony with the Vice Ministers of Health of Laos, Vietnam, the Republic of Korea and Mongolia. Chinese Vice Foreign Minister Wang Yi also attended the opening ceremony with Chinese Vice Health Minister Gao Qiang.

ASEAN Ambassadors meet with State Councillor Tang Jiaxuan

The ASEAN Committee, Beijing (ACB) hosted a dinner in honor of H.E. Mr. Tang Jiaxuan, State Councillor of the People’s Republic of China, on 21 May 2003. State Councillor Tang was accompanied by MFA Director General for Asian Department Madame Fu Ying.

State Councillor Tang briefed the ACB on the SARS situation in China, the North Korea issue, the Post-Iraq situation, and the future of ASEAN-China cooperation.

He promoted the idea of “strategic partnership” between China and ASEAN as regards peace, development and prosperity.

Vice FM Wang Yi meets with ASEAN Ambassadors

H.E. Mr. Wang Yi, Vice Foreign Minister of the People’s Republic of China, met with the ASEAN Committee, Beijing (ACB) over lunch on 10 June 2003.

During the luncheon, Vice Minister Wang Yi briefed the ASEAN Ambassadors on China’s views in preparation for the ASEAN Ministerial Meeting and related meetings in Phnom Penh on 16-20 June 2003. He mentioned the need to continue close cooperation during the ASEAN + 1 and ASEAN + 3 meetings and the ASEAN Regional Forum.

Manila hosts Forum on the Prevention and Containment of SARS

Chinese airport officials participated in the ASEAN + 3 Aviation Forum on the Prevention and Containment of SARS was held in Clark Special Economic Zone in Pampanga, Philippines, from 15 to 16 May 2003. The 11-member Chinese delegation was led by Mr. Song Mingchang, Director General of the General Administration of Quality Supervision Inspection and Quarantine (AQSIQ) of the People’s Republic of China.

Pursuant to the Joint Declarations adopted at the Special ASEAN and ASEAN + China Leaders’ meetings on SARS in Bangkok, Thailand, on 29 April 2003, the Philippines convened the Forum which was participated in by ASEAN + 3 airport-based officials in charge of operations, immigration, customs, and health. Chinese officials from AQSIQ, the General Administration of Customs, Ministry of Public Security and the General Administration of Civil Aviation led support to the success of the Forum.

A Joint Resolution on SARS containment and prevention was adopted by the heads of delegation at the end of the meeting.
LEGAL CORNER

Ronnie Pineda, a Filipino, was working aboard a Singapore-registered vessel, which was then docked at the Port of Tianjin in northeast China where it unloaded its cargo. While waiting for the vessel to depart for its next destination, Ronnie and some of his fellow crew members entertained themselves by playing mahjong in the vessel’s game room. After a few rounds of hard liquor, one of Ronnie’s colleagues, James Doe, a citizen of the Republic of Korea, apparently had too much to drink and was fuming mad when he began to lose heavily in their mahjong games. Without provocation, James threw a bottle of beer on the face of Ronnie who suffered a deep cut on his left eyebrow, causing a sudden gush of blood to flow. Thinking that he was in serious physical danger, Ronnie instinctively grabbed a nearby hammer and hit it on the head of James. The impact shattered James’ cranium, which led to a massive loss of blood causing his death. The captain of the vessel informed the local Chinese authorities of the incident. The local police noted that the incident took place on board the Singapore-registered vessel and opined that the Singapore authorities are responsible for handling the case.

Q: Is the local police correct?

A: There are two prevailing principles in international law governing the occurrence of crime on board a merchant vessel docked at a foreign port, namely the French Rule and the English Rule. Under the French Rule, any incident on board a merchant vessel falls under the jurisdiction of the government whose flag the vessel flies. In contrast, the English Rule provides that the government whose flag the vessel flies exercises jurisdiction only in cases that do not affect the peace and order of the third country where the vessel is docked. In this case, the vessel is registered in Singapore. Singapore observes the English Rule in case a crime takes place on board its vessel. The incident led to the death of an individual, hence, it affected the peace and tranquility of the Chinese port. Singapore, following the English Rule, could validly allege that jurisdiction rests with China. China, as noted in its Criminal Law, follows the French Rule and would not wish to exercise jurisdiction over the incident that took place on board a foreign vessel. There arises, therefore, an apparent conflict since Singapore, the flag-state, and China, the host-state, follow different legal principles in resolving crimes which take place on board merchant vessels docked at foreign ports. Singapore and China could resolve this conflict-of-laws situation by entering into an agreement as regards which country should exercise jurisdiction over the apparent crime that took place. If neither Singapore nor China wishes to assume jurisdiction over the incident, the family of James Doe could still go after Ronnie for civil damages, which could be filed in the Philippines where he is a resident.

The French and English Rules apply only to merchant vessels and not to military and government vessels, which international law unconditionally recognizes as absolute territorial extensions of their flag-state and would not be subject to the jurisdiction of other states.

PROFILE

Marie-Charlotte G. Tang
Third Secretary and Vice Consul
Philippine Embassy, Beijing

(This is the 13th of a series of features on Philippine diplomats currently serving in China.)

Charlotte is the Embassy’s newest third secretary and vice consul. However, she is not an unfamiliar face at the Embassy, having served as attaché in 1995-1998. Her present posting is her second to China. Her portfolio includes economic, trade and tourism matters.

Ms. Tang holds a degree in Journalism from the University of Santo Tomas and an MA in Asian Studies from the University of the Philippines. She also studied Chinese Language and Literature at the Beijing University under a joint scholarship offered by the Philippine and Chinese governments.

Prior to her posting, Ms. Tang worked at the Office of the Department of Foreign Affairs.

Philippine carrier operates despite SARS

Philippine flag-carrier, Philippine Airlines, continued to serve its Xiamen and Shanghai routes despite the presence of the SARS epidemic in China. The airline’s decision to continue its Chinese routes contrasted with decisions by other Chinese and foreign carriers to suspend some operations from and to Chinese airports.

PAL is one of two commercial carriers designated by the Philippines to operate under the Philippines-China Air Services Agreement. Its operations to mainland China provided the only direct link between the mainland and the Philippines after the Chinese designated carrier operating to Manila decided to suspend its operations for a month due to the low turn-out of passengers caused mainly by the SARS situation in some Chinese cities.

PAL’s dedication to its Chinese routes was greatly welcomed by Filipinos residing in China who went home to the Philippines during the summer holidays. Without PAL’s flights to Shanghai and Xiamen, travelers to the Philippines had to travel to Hong Kong to board another airline for the final leg to Manila or Cebu.

Minors traveling abroad

The Embassy wishes to remind parents of Filipino minors (those below 18 years old) traveling abroad on their own, or with a legal guardian or traveling companion, that they need to secure a travel clearance from the Department of Social Welfare and Development (DSWD).

This is a requirement under Republic Act 7610, also known as “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act”. The purpose of such provision is to give protection to unaccompanied children, to ensure that they are traveling abroad for a valid reason, and to prevent child trafficking.

To secure a travel clearance from the DSWD, the following supporting documents have to be submitted:

1. Sworn Affidavit of Parent/s on the circumstances of the minor’s travel;
2. Pertinent entries in the passport on previous departure/arrival of minor;
3. Other documents: a) student visa (for minors studying overseas); b) certification from the employer attesting to the parent’s employment (for minors whose parents are overseas Filipino workers).

The above provision is also applicable if the minor is accompanied by one parent and they are to join the other spouse overseas, or when both parents are already working or residing abroad.

Immigration formalities for Filipinos leaving the Philippines

The Embassy wishes to inform all Filipinos that pursuant to Memorandum Order No. ADD-03-013 of the Bureau of Immigration, Filipinos leaving the Philippines would only be required to bring valid passports, valid visas where necessary and round trip tickets. The BI would not require other documents except those that may require under existing laws, such as Authority to Travel issued by the Department of Social Welfare and Development to unaccompanied Filipino minors. The purpose of the Order was to ensure that the freedom to travel of every Filipino, as enshrined in the Philippine Constitution as an inalienable right, is not infringed through the imposition of a number of departure formalities.
When, before dusk of 12 June 1898, one hundred and five years ago, General Emilio Aguinaldo proclaimed to the world the independence of the Philippines, he declared the realization of a cherished aspiration. A free and independent nation had been the dream of our people, inspiring them to rise in numerous revolts to overthrow a foreign colonizer.

From Mactan to Kawit, the Lapu Lapus and Dagohoyo, the Diego Slangs and Bonifacio’s of our nation had risen to fight injustice and shed blood for freedom. In Madrid, Paris, Berlin, and other cities of the world, the Lunes, del Pilars, and Rizals, empowered by genius and love of country, rallied for the right of the Filipino to stand with dignity and honor in the community of nations. With steadfast determination and valor, with bravery and courage, our people fought. And they won for us liberty and sovereignty.

When, in Kawit, the Filipino flag— with three stars representing Luzon, the Visayas, and Mindanao— was raised and the Philippine national anthem was played, our people rejoiced, for they were one in liberty and destiny.

Like our people in Kawit, we now rejoice. But as our people in Kawit resolved to continue struggling, in order to keep whole and firm the fabric of Philippine society, so must we today continue their struggle. In a certain sense, we have yet to complete the revolution of a century ago. We must continue working hard together to fortify the unity of our people and make more durable the foundations of our Republic.

Our people must reflect on and appreciate the history of our nation—extending long before the arrival of foreign traders, teachers, missionaries, and colonizers. Our people must recognize our identical ethnicity and our brotherhood antedating our differences of creed. Our people must appreciate the reality that despite our 7,000 islands and our variations of the same language family, we are one people.

The task of safeguarding and strengthening our independence requires a steadfast commitment to national unity and to sustainable development. These are important elements of President Gloria Macapagal Arroyo’s vision of a strong Republic. We Philippines, united, must continue fighting hand in hand against poverty and all its consequences of discontent, discrimination, and oppression; all its abominations of illiteracy, corruption, and criminality— including the scourge of terrorism.

And as we remember with pride our forebears’ heroism, so also do we honor our partners of today. Millions of our countrymen labor overseas. Striving to maximize the development options of their families, they are winning— with their industry, their competence, their edifying attachment to Filipino values— universal respect for the Filipino.

Our people, particularly our youth, profoundly crave for the completion of our many revolutions— including our people power upheavals of 1986 and 2001—and thus, in a milieu of law and moral rectitude, achieve the full meaning of our independence.

Together, inspired by the same spirit, we will achieve!

National Day Celebration in Beijing

The 105th anniversary of the declaration of Philippine Independence with the theme “Sa Mabatik na Republika: Bayan Ko, Sagot Ko” was commemorated by the Embassy in simple ceremonies on 12 June 2003. Opting not to host a diplomatic reception and the traditional Filipino Community gathering due to the continued health situation in the capital, Ambassador and Mrs. Josue Villa were joined by the entire Embassy family in a solemn flag raising ceremony at the Embassy grounds. This was followed by a commemorative mass celebrated by Father Arnold Spengler before lunch at the Embassy social hall.

Following brief opening remarks by Ambassador Josue Villa, the independence day messages of H.E. President Gloria Macapagal Arroyo and Foreign Secretary B. F. Ople were read during the occasion.

The program saw the awarding of trophies and prizes to the winners of the Intra-Office Table Tennis Competition organized by Ambassador Villa. A total of 20 Filipino and Chinese staff of the Embassy displayed their varying prowess in the indoor sport, with Charlie Zheng Wenzhang and Johnny Zhang Xin coming out as champion and 1st runner-up, respectively. Raul Guerrero in Jakarta, Ingrid Feing and Samuel Narbuada rounded up the list of winners.

Mrs. Tet Narbuada organized a Filipino fashion show participation in by children of Embassy personnel and led a performance of an originally choreographed native dance together with Au Real, Dories Sy, and Fatima De Leon.

The celebration was capped with videoke singing by enthusiastic singers of the Embassy. Finance Officer Celeste Dioano set a computerized record score of 98 in the videoke session, a feat remaining unsurpassed for the day despite serious challenges from Joey Magaso and newly-arrived Commercial Attaché Jorge Judan.

New Military and Commercial Attachés assume post in Beijing

Col. Samuel L. Narbuada and Mr. Jorge Mendoza Judan have taken up their respective posts as Defense Attaché and Commercial Attaché at the Philippine Embassy in Beijing.

Col. Narbuada graduated from the Philippine Military Academy in 1979. As a member of the Philippine Army, he has served in various positions of major responsibility in the Intelligence Service of the AFP (ISAFP). Prior to his posting to Beijing, he was a Group Commander of the Military Intelligence Group under the ISAFP.

Col. Narbuada is married to the former Maria Teresa B. Endozo with whom he has three children: Samuel Terence, Manuel Rupert, and Samantha Therese.

Mr. Judan joined the Foreign Service Trade Corps (FSTC) of the Philippine Department of Trade and Industry in 1997. Prior to his posting to Beijing, he served as Commercial Attaché at the Philippine Embassy in Jakarta, Indonesia and was concurrently accredited as Commercial Attaché at the Philippine Embassy in Bandar Seri Begawan, Brunei Darussalam. He later on assumed the position of Commercial Attaché at the Philippine Embassy in Tokyo, Japan.