BILATERAL

AGREEMENT BETWEEN THE ANTI MONEY LAUNDERING COUNCIL (AMLC) OF THE REPUBLIC OF THE PHILIPPINES AND THE FEDERAL FINANCIAL MONITORING SERVICE (RUSSIAN FEDERATION)

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The Anti Money Laundering Council (AMLC) of the Republic of the Philippines and the Federal Financial Monitoring Service (Russian Federation), hereinafter referred to as “Parties”,

guided by the spirit of cooperation and mutual interest in the sphere of counteracting legalization (laundering) of proceeds from crime, financing of terrorism and related criminal activity,

considering the need to cooperate as efficiently as possible,

have reached the understanding set forth below:

Article 1

The Parties shall cooperate, on the basis of reciprocity, in particular, in the exchange of information to gather, develop and analyze information in its possession concerning financial transactions suspected of being related to legalization (laundering) of proceeds from crime, financing of terrorism and related criminal activity, in conformity with the provisions of the present Agreement, and within the framework of each Parties’ national legislation.

Article 2

1. The Parties shall exchange information spontaneously or upon request, in writing or by technical means of communication arranged for the purpose.

2. The request shall include the following information:

a) The requesting Party’s name
b) The requested Party’s name
c) Brief statement of the underlying facts and its grounds (in case of urgency of the request the requesting Party shall justify its necessity).
d) Description of contents of the information sought
e) Purpose for which the information sought
f) Any other information necessary for the execution of the request.

Article 3

1. The request may be refused in full or in part if its execution may affect the sovereignty, security, public order or other substantial interests of the requested Party’s State, or if it contradicts national legislation and (or) international obligations of the requested Party’s State, or if judicial proceedings have already been initiated in the State of the requested Party concerning the same facts or information sought in the request.

2. If the requested Party refuses to execute the request it shall inform the requesting Party of the reasons for the refusal.

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Article 4

1. The information acquired under the present Agreement shall not be used for the purposes other than those stated in the requests, without the prior written consent of the requested Party.

2. The information acquired under the present Agreement and the fact that the information was provided shall be kept as confidential and be protected by the same confidentiality as provided by the national legislation of the requesting Party to similar information from national sources.

3. The Parties, guided by the legislation and international obligations of their States shall take the necessary administrative and technical measures to protect information acquired under the present Agreement from accidental or illegal destruction, distortion, dissemination and any other unlawful use.

4. The information acquired under the present Agreement shall be stored no longer than is necessary in accordance with the purposes for which it was disclosed. The information shall be destroyed in compliance with the legal acts of each of the Parties' States.

Article 5

1. For the Russian Party the exchange of information shall be provided in consistence with the legislation of the Russian Federation.

2. For the Philippine Party the exchange of information shall be provided for any money laundering offence or any of the unlawful activities defined under the Anti-Money Laundering Act of 2001, as amended, or any future amendments thereto.

3. The information under this Article can be used in pretrial and judicial purposes only within the cases related to legalization (laundering) of proceeds from crime, financing of terrorism and related criminal activity, and exclusively with the prior consent of requested Party.

Article 6

1. The Parties may exchange information on the each of the Parties' national legislation in the sphere of counteracting legalization (laundering) of proceeds from crime and financing of terrorism, upon request or spontaneously.

2. The Parties shall extend their mutual cooperation to matters involving exchange of general information regarding money laundering and other criminal activities related to money laundering, including analysis of financial data and exchange of studies, researches and information on current, new and emerging trends and typologies in money laundering.

3. The Parties shall jointly arrange for acceptable procedures of communication consistent with the legislation of their respective States, and shall consult each other on the issues under the present Agreement.

4. The Parties can jointly arrange for and hold meetings and workshops to share experience and discuss issues of mutual interest.

5. Nothing in this Agreement shall prevent the Parties from elaborating and developing other mutually acceptable forms of cooperation.

Article 7

The cooperation and exchange of information between the Parties shall be in the English language

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Article 8

The present Agreement may be amended by mutual consent of the Parties, in the form of supplementary annexes.

Article 9

The Parties shall hold negotiations and consultations in order to settle any disputes that may arise in the interpretation or implementation of the present Agreement.

Article 10

The provisions of the present Agreement shall not violate any rights and obligations emanating from other international treaties to which the Republic of the Philippines and the Russian Federation are parties.

Article 11

1. The present Agreement shall be concluded for an indefinite period of time.

2. The present Agreement shall enter into force on the day of its signature.

3. Either Party at any time may notify the other Party in writing of its intention to terminate this Agreement. The present Agreement shall terminate 90 days after receipt of such notification by the other Party.

4. The provisions of the present Agreement ensuring the confidentiality of all information received prior to its termination shall remain in force after such termination

Done in St. Petersburg on 11 July, 2012 in duplicate, each in English and Russian languages, both texts being authentic.

For the Anti Money Laundering Council For the Federal Financial
Monitoring Service
(Russian Federation)

(Sgd.) Vicente S. Aquino (Sgd.)

Entry into Force: July 11, 2012

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