BILATERAL

AGREEMENT FOR THE ESTABLISHMENT OF A JOINT COMMISSION ON BILATERAL COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE REPUBLIC OF KENYA

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The Government of the Republic of the Philippines and the Government of the Republic of Kenya, hereinafter jointly referred to as the "Parties;"

MINDFUL of the need to promote cooperation between the two countries;

DESIRING to strengthen understanding and solidarity between their people and to ensure their well being;

GUIDED by a common will to broaden and strengthen the political, economic, scientific, technical, social and cultural cooperation between their respective countries;

HEREBY AGREE as follows:

ARTICLE 1

The two Parties hereby establish a Joint Commission on Bilateral Cooperation which shall develop bilateral relations and cooperation, in conformity with the two Parties' respective laws and regulations

ARTICLE 2

The Joint Commission shall be headed by the Foreign Ministers of the two respective Parties or by the persons they appoint for that purpose. The two Parties shall determine the composition of the Joint Commission

ARTICLE 3

The Joint Commission shall broaden and strengthen cooperation between the Parties and shall:

- conduct bilateral consultations and coordination with regard to important international issues and concern;

- follow up the implementation of the Agreements already concluded or to be concluded between the two Parties;

- promote activities in favour of political, commercial, economic, industrial, cultural and technical cooperation on the basis of the Agreements signed or to be signed between the two Parties;

- exchange information in the economic, commercial, scientific, industrial, cultural and technical fields;

- make proposals to facilitate the implementation of relevant projects established in accordance with this Agreement by separate protocols;

- identify new fields for continued cooperation in the community development, gender, social, economic, commercial, scientific, industrial, cultural and technical fields.

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ARTICLE 4

The Joint Commission shall establish committees, sub-committees and/or working groups to assist it in the performance of its functions. The head of each committee shall present a report to the Joint Commission on the activities and progress of the group.

ARTICLE 5

- The Joint Commission shall meet at least once in every two years in an ordinary session, alternately in Manila and in Nairobi or in an extraordinary session at the written request of one of the Parties.

- The level, date and the agenda of the Joint Commission sessions shall be agreed upon by the two Parties through diplomatic channels.

- The Parties shall exchange working papers two months at the latest before the date of the meeting.

- The heads of the respective delegations shall jointly assume the Chairmanship of the Joint Commission meeting.

- The reports of the meetings of the Joint Commission shall be submitted to the respective Governments for consideration.

ARTICLE 6

Subject to the approval of the Contracting Parties, representatives of companies, economic or financial groups and enterprises may participate in the work of the Commission. The Commission shall determine the rules and procedures of such participation.

ARTICLE 7

Any dispute arising from the interpretation on this Agreement shall be settled by consultation and negotiations through diplomatic channels. In the event that a mutually satisfactory resolution of the dispute cannot be achieved, the dispute shall be referred to the Joint Commission as a last resort in an effort to seek an amicable settlement.

ARTICLE 8

Any amendment or revision to this Agreement shall be done by mutual consent of the Parties through diplomatic channels. Such amendment or revision shall enter into force in accordance with the provision on entry into force.

ARTICLE 9

The provisions of this Agreement shall not be interpreted to the detriment of other cooperation agreements between the Parties.

ARTICLE 10

- This Agreement shall enter into force on the date of the second Party's written notification through diplomatic channels, indicating that the domestic legal requirements for its entry into force have been complied with.

- This Agreement shall remain in force for a period of five (5) years and may be renewed for a similar period, unless one of the Parties officially notifies the other, through diplomatic channels, of its desire to suspend or terminate this Agreement, at least six (6) months prior to the intended date of termination.

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ARTICLE 11

The termination of this Agreement shall not affect the validity and duration of any arrangement and/or contract made under the Agreement until the completion of such arrangement and/or contract.

IN WITNESS WHEREOF the Undersigned, being duly authorized by their respective Governments, have signed this Agreement

Done at the City of Manila on the 19th day of March 2010 in two originals, in the English language, both texts being equally authentic.

FOR THE GOVERNMENT OF
THE REPUBLIC OF THE
PHILIPPINES

FOR THE GOVERNMENT
OF THE REPUBLIC OF
KENYA

(Sgd.)
Hon. Erlinda F. Basilio
Undersecretary for Policy
Department of Foreign
Affairs

(Sgd.)
H.E. David G. Njoka
Ambassador
Extraordinary and
Plenipotentiary of the
Republic of Kenya

Entry into Force: December 15, 2010

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