AGREEMENT ON CULTURAL, SPORTS AND EDUCATIONAL COOPERATION BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE KINGDOM OF SPAIN

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PREAMBLE

The Republic of the Philippines and the Kingdom of Spain, hereinafter as "The Parties";

Desirous of strengthening the friendship, the understanding and the feeling of shared values between the two countries;

Resolved to give expressions to these ties in instruments of cooperation so as to strengthen their relations;

Recognizing that culture, education and information are essential elements for the development; and

Taking as a basis the General Treaty of Friendship and Cooperation between both countries of 30 June 2000.

Have agreed as follows;

ARTICLE I

The Parties shall foster cooperation on the basis of reciprocity in accordance with the respective legislations.

AREAS OF COOPERATION

ARTICLE II

The Parties agree on strengthening their bilateral cooperation in the spheres of education, sports, arts, culture and information technology

This Agreement shall be the basis of and serve as the framework of specific sectors of mutual interest by means of special agreements, to be concluded by the Parties or, with their agreement between bodies designated by the competent authorities of both countries according to the subject matter.

I. COOPERATION IN THE SPHERE OF EDUCATION

ARTICLE III

In order to foster, cooperation in the field of education, the Parties shall strive to promote academic contacts and exchanges, as well as reciprocal access between the institutions of basic education, higher education, research and development, teaching and training, and between libraries, archives, and other similar centers.

ARTICLE IV

The Parties shall foster and facilitate the exchange of materials on education, 'educational methodology, statistics, bibliography in educational matters, periodicals and magazines, etc., including computer-connections whenever possible.

ARTICLE V

The Parties shall exchange information on their respective educational systems, regarding basic education and higher education programmes, diplomas and degrees, so as to facilitate their proper evaluation and recognition by the competent institutions of the other country.

ARTICLE VI

Both Parties aware of the importance of their respective languages as a vehicle for culture, shall cooperate in deploying language teaching tools and programs and shall, specifically, facilitate the establishment of cultural centers of the other Party in their territory.

ARTICLE VII

To the extent possible, each Party shall encourage, the establishment of professorial Chairs in such fields of study and in learning institutions as may be acceptable to the participating institutions and if feasible, by bringing in appropriate partners.

ARTICLE VIII

Parties shall foster reciprocal participations in congresses, conferences, symposia
seminars on education held in each respective country.

II. COOPERATION IN THE SPHERE OF CULTURE

ARTICLE IX

The Parties shall strive to promote, in the public and private sectors, contacts and exchanges among libraries, museums, archives, agencies and cultural centers and anthropological institutions, as well as reciprocal access thereto.

ARTICLE X

The Parties shall promote and facilitate the exchange of materials on general information and bibliography on cultural matters, methodological and statistical studies, magazines and periodicals, including computer connections whenever possible.

ARTICLE XI

The Parties shall enhance cooperation in the control, protection, recovery, preservation and restoration of the artistic and cultural heritage of each country and shall facilitate mutual access to the cultural assets and heritage of the other Party, including all assets that by definition belong to their cultural heritage, in accordance with their respective legislations.

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ARTICLE XII

The Parties shall adopt measures aimed at preventing the illegal import and transfer of property rights over assets belonging to the cultural heritage of each of the Parties, in accordance with the rules of international law and the relevant intellectual property legislation.

ARTICLE XIII

The Parties shall endeavor to offer opportunities and to facilitate participation by scientists, experts, art critics, artists, students, cultural planners, media professionals and officials in charge of the information, in both public and private sectors, of the other country in artistic and cultural congresses, conferences, symposia and seminars thereof.

In the frame of this Agreement, and when necessary, the Parties shall subscribe to specific Protocols on intellectual property, cultural heritage and others.

ARTICLE XIV

The Parties shall cooperate in disseminating in the respective countries literary, musical artistic and scientific works published in areas encompassed by this Agreement.

ARTICLE XV

The Parties shall promote cooperation in the field of cinematography with the exchange of films, organization of festivals, co-production of feature films, documentaries and animation films. In addition, they shall foster the establishment of contacts between filmmakers, directors and professionals of the film industry of both countries, as well as reciprocal archives and the exchange of know-how about the latest technological [developments in the field.

ARTICLE XVI

The Parties shall promote cooperation in the field of copyright and related rights, in accordance with their respective legislations and with their commitments under international treaties. Likewise, the Parties shall recognize and protect the copyright and related rights of the works and services of the object of exchange, in accordance with this Agreement, such as rights over books and other publications, recordings, audiovisual recordings and works and plastic art.

III. COOPERATION IN THE SPHERE OP INFORMATION
COMMUNICATIONS TECHNOLOGY

ARTICLE XVII

The Parties shall encourage and foster and support co-operation in the field of information and communications technology (ICT) through, but not limited to the following:

· Promoting cooperation in the field of information and communications technology (ICT), by means of establishing tie- ups or linkages or partnerships, mainly, subscribing to Memoranda of Understanding between or among ICT organizations, both in the public and private sectors, of each country;

· Exchanging information on technologies and interconnectivity, studies, policies, rules and regulations, experiences and best practices on network, services and digital content development, implementation and

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management;

· Promotion of Joint Research and Development;

· Exchanging ICT expertise through research grants, trainings, exchange programs and scholarships for ICT experts; and

· Promotion, development and implementation of cooperation activities on government, e-business and/ or e-commerce and e-learning.

IV. COOPERATION WITH THE SPHERE OF SPORTS

ARTICLE XVIII

The Parties shall foster cooperation and encourage the development of exchange programs between and among sports organizations and institutions in the following areas:

- High-performance-level training of athletes
- Participation in sports competitions
- Opportunities for the advancement of coachina as a profession, and of coaching techniques and strategies
- Reciprocal access to sports research studies and sports academic programs
- Participation in sports seminars, conventions, conferences, expositions, visits ana study missions
- Upgrade of information technology, materials and studies on sports hall of fames, sports libraries and sports museums
- Technical expertise in the field of sports science, sports medicine and sports management.

As regards Spain, the expenses incurred by the Spanish Party by reason of the activities carried out within the framework of this Agreement shall be defrayed out of :ithe ordinary budget.

ARTICLE XX

The Parties shall establish a Joint Standing Committee entrusted with the application of this Agreement, which shall be in charge of producing periodic cultural, sports, and educational cooperation programs, as well as with studying as many issues as may arise during the implementations thereof.

The Joint Committee shall meet periodically and alternately in either country, and the fates and meeting places snail be determined through diplomatic channels.

This Agreement shall enter into force on the date of the last diplomatic note in which Parties notify each other of the respective fulfillment of their domestic legal
requirements for the entry into force thereof, it shall remain in effect until terminated in writing by any of the Parties, through diplomatic channels, six (6) months prior to the agreed date of expiry.

ARTICLE XXI

This agreement shall enter into force on the date of the last diplomatic note in which the parties notify each other of the respective fulfillment of their domestic legal requirements for the entry into force thereof. It shall remaining effect until terminated in writing by any of the parties. Through diplomatic channels, six (6) months prior to the agreed date of expiry.

ARTICLE XXII

The Cultural Agreement between the Spanish State and the Republic of the Philippines, signed in Manila on 4 March 1949, the additional Protocol thereto of 4 May 1971, as well as the "Treaty on Academic Degrees and the Exercise of Professions" between the Spanish State and the Republic of the Philippines of 4 March 1949, shall cease to be valid on the date that this Agreement enters into force.

ARTICLE XXIII

Parties may, by mutual agreement, effect amendments to this Agreement that snail enter into force in accordance with the provisions of Article XXI.
Any issue that may arise in the interpretation or application of this Agreement shall be resolved between the Parties through diplomatic channels.

IN WITNESS WHEREOF the representatives of the Parties, duly authorized stamp this Agreement with their seal.

Done in Madrid, on 3 December 2007, in four original texts, two in Spanish and two in English, all of which being equally authentic.

FOR THE REPUBLIC OF THE PHILIPPINES FOR THE KINGDOM OF SPAIN

(Sgd.) ALBERTO G. ROMULO (Sgd.) MIGUEL ANGEL MORATINOS CUYAUBE

Secretary of Foreign Affairs Minister of Foreign Affairs and Cooperation

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