

No. 27011

FEDERAL REPUBLIC OF GERMANY
and
KENYA

Agreement concerning cultural co-operation (with exchange of notes). Signed at Bonn on 21 May 1987

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 5 January 1990.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
KENYA

**Accord de coopération culturelle (avec échange de notes).
Signé à Bonn le 21 mai 1987**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 5 janvier 1990.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF KENYA AND THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY CONCERNING CULTURAL CO-OP-
ERATION

The Government of the Republic of Kenya and the Government of the
Federal Republic of Germany,

desiring to intensify the cultural and scientific relations existing
between their peoples,

convinced that cultural exchanges will promote co-operation between
them and an understanding of the culture, intellectual activities and
way of life of the people of the other country,

have agreed as follows:

Article 1

Both Contracting Parties shall endeavour to improve mutual knowledge of
the culture of their countries and to assist each other in achieving
this aim.

Article 2

- (1) The Contracting Parties shall, within the framework of their
applicable legislation and on terms to be agreed upon by them,
facilitate and promote in their own country the establishment
and activities of cultural institutions of the other Contracting
Party.
- (2) Cultural institutions within the meaning of paragraph 1 above
are, in particular, cultural institutes, schools providing
general education and vocational schools, non-school educational

¹ Came into force on 29 June 1988, the date of the last of the notifications (of 24 March and 29 June 1988) by which the Parties informed each other of the completion of their respective national requirements, in accordance with article 12.

establishments, libraries and similar scientific and cultural institutions. Individuals who are seconded or provided for official assignments in the scientific, cultural or educational sphere shall have the same status as the seconded experts of these institutions.

- (3) The Contracting Parties shall, in accordance with their applicable legislation, afford the seconded experts of the said institutions and the individuals given the same status under paragraph 2 above as well as the members of their families such facilities with regard to their entering and leaving the country, the importation and exportation of their household effects and the issue of work and residence permits as are necessary for the performance of their tasks.
- (4) The Contracting Parties shall endeavour, in so far as the applicable national laws and regulations permit, to grant exemption from taxes and other charges applicable to the persons and institutions referred to in paragraphs 1 to 3 above.
- (5) The status of the cultural institutions referred to in paragraphs 1 and 2 above and of the experts seconded or provided by the Contracting Parties for official assignments within the framework of cultural co-operation shall be dealt with in a separate arrangement.

Article 3

In the field of science and education, including universities and other institutions of higher education, general and vocational schools, organizations and institutions of non-school vocational training and adult education, school and vocational training authorities as well as other educational and research institutions, the Contracting Parties shall, with a view to encouraging co-operation in all its forms, endeavour to

1. support mutual visits by delegations for information purposes and to exchange experience;

2. support the exchange of scientists and scholars, university administrators, teachers, instructors, students, pupils and trainees for information, study, research and training purposes;
3. promote the exchange of scientific and educational literature, teaching aids, information and demonstration material and instructional films as well as the organization of relevant specialized exhibitions;
4. promote relations between the universities and other institutions of higher education of the two countries and between other cultural and scientific institutions.

Article 4

The Contracting Parties shall to the extent possible award basic training, further training and research scholarships for qualified students, scientists and scholars of the other Contracting Party, provided that the requirements are met.

Article 5

The Contracting Parties shall endeavour to encourage the study of the language, culture and literature of the other country.

Article 6

In order to impart a better knowledge of the art, literature and related fields of the other country, the Contracting Parties shall, on the basis of reciprocity, endeavour to carry out appropriate measures and assist each other as far as possible, in particular

1. with regard to the arrangement of performances by visiting artists and ensembles, of concerts and plays, as well as other artistic performances;
2. in the organization of exhibitions and lectures;

3. in the organization of mutual visits by representatives of the various spheres of cultural life, in particular literature, music, the performing and fine arts, in the development of co-operation, exchanges of experience, and participation in congresses and similar events;
4. in fostering contacts in the fields of publishing, libraries, archives and museums, and in the exchange of specialists and material;
5. in the publication of translations of belletristic, scientific and technical literature.

Article 7

The Contracting Parties shall as far as possible support co-operation between their respective film, television and radio broadcasting corporations as well as the production and exchange of films and other audio-visual media which may serve the purposes of this Agreement.

Article 8

The Contracting Parties shall endeavour to promote youth exchanges as well as co-operation between youth organizations and institutions of non-school youth education.

Article 9

The Contracting Parties shall encourage meetings between sportsmen and sports teams from their countries and endeavour to foster co-operation in the field of sports (not least at schools, universities and other institutions of higher education).

Article 10

As necessary or upon the request of one of the Contracting Parties, the representatives of the Contracting Parties shall meet alternately in

the two countries in order to review the exchanges that have been carried out under this Agreement and to draw up recommendations for further cultural co-operation.

Article 11

This Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Republic of Kenya within three months of the date of entry into force of this Agreement.

Article 12

This Agreement shall enter into force on the date on which the Contracting Parties have notified each other that their respective national requirements for the entry into force of this Agreement have been fulfilled.

Article 13

This Agreement shall be valid for a period of five years and shall be tacitly extended for successive five-year periods unless it is denounced in writing by either Contracting Party giving six months' notice.

Done at Bonn on 21 May 1987 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Republic of Kenya:

M. P. OMWONY

For the Government
of the Federal Republic
of Germany:

J. RUHFUS

[TRANSLATION¹ — TRADUCTION²]

Auswärtiges Amt³

611-600.51 KEN

The Federal Foreign Office presents its compliments to the Embassy of the Republic of Kenya and has the honour to propose that the following Arrangement on Articles 2 and 3 of the German-Kenyan Agreement of 21 May 1987 concerning Cultural Co-operation be concluded.

[*See note II*]

The Federal Foreign Office avails itself of this opportunity to renew to the Embassy of the Republic of Kenya the assurances of its high consideration.

Bonn, 21 May 1987

The Embassy
of the Republic of Kenya
Bonn

¹ Translation supplied by the Government of the Federal Republic of Germany.

² Traduction fournie par le Gouvernement de la République fédérale d'Allemagne.

³ The Federal Foreign Office.

II

EMBASSY OF THE REPUBLIC OF KENYA
IN THE FEDERAL REPUBLIC OF GERMANY - BONN

KEB/PROP/12 A/4

The Embassy of the Republic of Kenya presents its compliments to the Federal Foreign Office and has the honour to confirm receipt of its Note Verbale of 21 May 1987 (611-600.51 KEN) proposing the conclusion of an Arrangement between the Government of the Republic of Kenya and the Government of the Federal Republic of Germany on Articles 2 and 3 of the Kenyan-German Agreement of 21 May 1987 concerning Cultural co-operation. The Note Verbale reads as follows:

"The Federal Foreign Office presents its compliments to the Embassy of the Republic of Kenya and has the honour to propose that the following Arrangement on Articles 2 and 3 of the German-Kenyan Agreement of 21 May 1987 concerning Cultural Co-operation be concluded.

1. In accordance with the Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of Kenya concerning Cultural Co-operation, this Arrangement shall apply to the cultural institutions referred to in Article 2 (2) of the Agreement and to their experts or other experts who are seconded or provided by the Contracting Parties within the framework of co-operation between the two countries in the fields of culture, education, science or sport and who are employed as advisers, researchers, scientists or scholars, professors, teachers or lecturers
 - at the branch of the Goethe Institute in Nairobi,
 - at the German School in Nairobi,
 - as lecturers, teachers, scientists or scholars seconded to universities and other scientific

institutions of the Republic of Kenya by the German Academic Exchange Service and as seconded staff of the office of the German Academic Exchange Service at Nairobi,

- at State or private Kenyan secondary schools,
 - at other cultural institutions designated by the Contracting Parties in arrangements concluded by an exchange of Notes.
2. The Contracting Parties shall, within the scope of the applicable legislation, grant exemption from customs duties, taxes and other charges for items (e.g. official vehicles, technical equipment, furniture, exposed films, books, periodicals, audio-visual material) which are imported for the cultural institutions of the other Contracting Party.
 3. The experts referred to in paragraph 1 above and members of their families shall be granted the exemptions and facilities specified in Article 5 of the Agreement of 4 December 1964 between the Government of the Federal Republic of Germany and the Government of the Republic of Kenya concerning Technical Co-operation, as amended by the exchange of Notes of 29 July/17 September 1971.
 4. The exemptions under paragraph 3 above shall be granted if the diplomatic mission of the seconding Contracting Party confirms that the conditions for exemption are in fact met.
 5. During their stay in the territory of the other Contracting Party, the experts and members of their families shall
 - (a) be granted in times of national or international crisis the same facilities for repatriation as are granted to foreign experts by the two Governments in conformity with the applicable laws;

- (b) be granted the rights existing under general international law in the event of their property being damaged or lost owing to public disturbance.
6. Facilities of an administrative nature, such as the issue of an identity card or a driving licence, shall be agreed upon in separate exchanges of Notes with due regard for the conditions prevailing in each country.
7. This Arrangement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Republic of Kenya within three months of the date of entry into force of this Arrangement.

If the Government of the Republic of Kenya agrees to the proposals contained in paragraphs 1 to 7 above, this Note and the Note in reply thereto expressing the agreement of the Government of the Republic of Kenya shall constitute an Arrangement between the Government of the Federal Republic of Germany and the Government of the Republic of Kenya, to enter into force on the date on which the Contracting Parties have notified each other that their respective national requirements for such entry into force have been fulfilled."

The Embassy of the Republic of Kenya has the honour to inform the Federal Foreign Office that the Government of the Republic of Kenya agrees to the proposals made by the Government of the Federal Republic of Germany. Accordingly, the Note Verbale of 21 May 1987 from the Foreign Federal Office (611-600.51 KEN) and this Note in reply thereto shall constitute an Arrangement between the Government of the Republic of Kenya and the Government of the Federal Republic of Germany, to enter into force on the date on which the Contracting Parties have notified each other that their respective national requirements for such entry into force have been fulfilled.

The Embassy of the Republic of Kenya avails itself of this opportunity to renew to the Federal Foreign Office the assurances of its highest consideration.

Bonn, 21 May 1987

The
Federal Foreign Office
Bonn
