

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND
THE GOVERNMENT OF THE REPUBLIC OF KENYA
ON COOPERATION IN THE FIELDS OF ENERGY AND HYDROCARBON**

PREAMBLE

The Government of the Republic of Turkey and the Government of the Republic of Kenya, hereinafter referred to individually as a "Party" and collectively as the "Parties";

CONSIDERING the close and friendly relations existing between the two countries;

RESPECTING the relevant international obligations of each Party;

RECOGNIZING the existing cooperation between the two countries in the energy and hydrocarbon sectors;

DESIRING to strengthen this cooperation in the areas of energy and hydrocarbon based on principles of equality, mutual respect and reciprocal benefits;

DESIRING to establish the basis for a cooperative institutional relationship between the Parties to encourage and promote bilateral cooperation in the fields of energy and hydrocarbon;

HAVE AGREED as follows:

**ARTICLE 1
PURPOSE**

The purpose of this Memorandum of Understanding is to promote the development of cooperation between the Parties in the fields of energy and hydrocarbon on the basis of a mutual understanding taking into account the Parties' expertise and development needs.

**ARTICLE 2
COMPETENT AUTHORITIES**

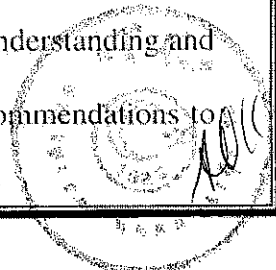
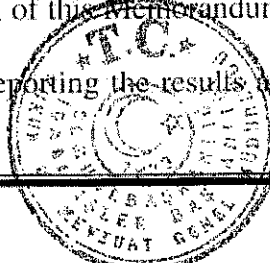
1. For the purpose of implementing this Memorandum of Understanding, the Parties have designated the following competent authorities:

- (a) On the part of the Republic of Turkey, the Ministry of Energy and Natural Resources; and
- (b) On the part of the Republic of Kenya, the Ministry of Energy and Petroleum.

2. The competent authorities specified under the paragraph 1 of this Article 2 are responsible for the –

- (a) Identification of programs and projects;
- (b) Review of progress in the implementation of this Memorandum of Understanding and report back to the Parties; and
- (c) Evaluation of programs or projects and reporting the results and recommendations to the Parties.

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ARTICLE 3 FIELDS OF COOPERATION

1. The Parties shall promote cooperation and development of projects in the fields of energy and hydrocarbon through -
- (a) the identification and development of joint projects between the Parties in the areas of-
 - (i) development and promotion of oil and gas exploration and exploitation.
 - (ii) storage, marketing, transport and distribution of oil derivatives;
 - (iii) construction and maintenance of oil infrastructure;
 - (iv) construction and maintenance of gas infrastructure and application of gas technology and;
 - (v) construction, management and transmission of electricity
 - (b) the exchange of visits by policymakers and technical experts responsible for the development and implementation of hydrocarbon policies;
 - (c) the promotion of specialized training courses in the hydrocarbons, hydroelectric power plant and thermal power plant industries for experts from both Parties;
 - (d) joint participation in workshops, conferences and exhibitions aimed at attracting investments in the fields of energy and hydrocarbon ;
 - (e) the development of projects in the field of renewable energy on -
 - (i) research and development;
 - (ii) poverty alleviation and sustainable development in the field of electricity;
 - (iii) energy efficiency.
2. The terms and conditions of implementation of each program or project undertaken under this Memorandum of Understanding as part of the cooperation shall be agreed by the Parties in a separate agreement.

ARTICLE 4 WORKING GROUP

1. The Parties shall, where appropriate, establish a working group (hereinafter referred to as "**Energy and Hydrocarbon Working Group**") for the purpose of the joint development of plans of cooperation as well as for the implementation and analysis of the works to be performed in the areas referred to in Article 3 of this Memorandum of Understanding.
2. The agenda, time and place of the meetings of the Energy and Hydrocarbon Working Group shall be agreed by the Parties.

ARTICLE 5 INVESTMENT

1. The Parties agree that there are many potential investment areas in energy and hydrocarbon sectors for public and private investors.
2. The Parties shall encourage their respective companies to invest in the energy and hydrocarbon sectors in both countries.

**ARTICLE 6
EXPENSES**

1. The Parties shall cooperate within the framework of the relevant legislation applicable in the country of each Party and appropriate funds allocated for this target.
2. The Parties shall exchange experts in the agreed fields in a way that the travel expenses shall be covered by the sending Party.

**ARTICLE 7
PUBLICATIONS OF REPORTS AND CONFIDENTIALITY**

1. The outcome or results of specific programs of cooperation carried out under this Memorandum of Understanding which are not yet in the public domain shall be kept confidential by the Parties.
2. If a Party wishes to disclose such outcome or results to a third party, the prior written consent of the other Party shall be obtained.
3. The outcome or results of specific programs of cooperation carried out under this Memorandum of Understanding may only be published with the written consent of the Parties.

**ARTICLE 8
SETTLEMENT OF DISPUTES**

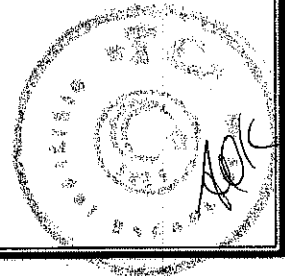
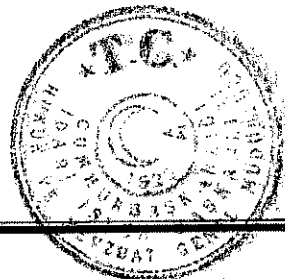
Any dispute between the Parties arising out of the interpretation, application or implementation of this Memorandum of Understanding shall be settled amicably through consultations and negotiations between the Parties through the diplomatic channels.

**ARTICLE 9
AMENDMENT**

This Memorandum of Understanding may be amended by mutual written consent of the Parties at any time. The amendments shall enter into force in accordance with the same legal procedure prescribed under the paragraph 1 of Article 12 of this Memorandum of Understanding.

**ARTICLE 10
NOTIFICATIONS**

Any notifications related to this Memorandum of Understanding shall be communicated in writing through the competent authorities specified under the paragraph 1 of Article 2 of this Memorandum of Understanding through diplomatic channels.



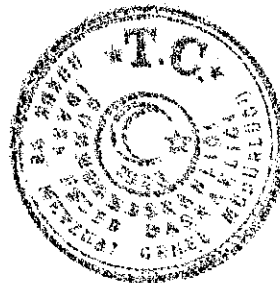
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**ARTICLE 11
INTELLECTUAL PROPERTY**

The Parties, in accordance with the respective national legislations and international treaties to which the Republic of Turkey and/or the Republic of Kenya are parties, shall ensure effective protection of the rights for intellectual property transferred or created under this Memorandum of Understanding. For the purpose of this Memorandum of Understanding, intellectual property is understood to have the meaning given in Article 2 of the Convention Establishing the World Intellectual Property Organization, done at Stockholm on 14 July 1967.

**ARTICLE 12
ENTRY INTO FORCE, DURATION AND TERMINATION**

1. This Memorandum of Understanding shall enter into force on the date of the receipt of the last written notification by which the Parties shall notify each other through the diplomatic channels, of the completion of their internal legal procedures required for the entry into force of this Memorandum of Understanding.
2. This Memorandum of Understanding shall remain in force for a period of five (5) years, and it shall automatically be renewed for successive periods of five (5) years, unless terminated by either Party by giving thirty (30) days prior written notice before the end of the applicable term through the diplomatic channels, of its intention to terminate this Memorandum of Understanding.
3. This Memorandum of Understanding may be terminated by either Party at any time by giving six (6) months prior written notice of its intention to terminate this Memorandum of Understanding through diplomatic channels.
4. At the termination of this Memorandum of Understanding, its provisions and the provisions of any other agreement entered into by the Parties pursuant to this Memorandum of Understanding shall continue to govern any existing or unexpired obligations or programs assumed or commenced under this Memorandum of Understanding. Until the completion of the obligations or programs stated in the previous sentence, these obligations or programs shall be carried out in accordance with this Memorandum of Understanding as if this Memorandum of Understanding is still in force.



IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Memorandum of Understanding in two original copies, each in Turkish and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

Done in Ankara on 8th of April 2014.

On Behalf of the Government
of the Republic of Turkey

On Behalf of the Government
of the Republic of Kenya



Taner YILDIZ
Minister of Energy and
Natural Resources



Amb. Amina C. MOHAMMED
Cabinet Secretary for Foreign
Affairs and International Trade

