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The Government of the Federal Republic of Germany has sent to the Ministry a proposed arrangement for a bi-lateral agreement on "Coal Exploration" to be concluded for the period 1 January 1986 to 30 June 1987. This proposal is in line with the item 3.2.2.1. of the Summery Record of discussion held in Bonn on 13 and 14 August 1985, regarding the extension of the Arrangement of 5 March/8 July 1982 and the Arrangement on Technical Cooperation of September 1971 between the Philippine and Germany.

The Ministry would like to request the consent and/or suggestion of that Office on the proposed Arrangement. An early reply on this request would be highly appreciated.

Very truly yours,

For the Minister for Foreign Affairs:

(Sgd.) JUAN ONA

Assistant Minister
OEA: ACR: RSL: mpm

(Sgd.)

Enclosures:

The Honorable
Minister of Economic Planning
National Economic and Development Authority
NEDA sa Pasig, Amber Avenue
Pasig, Metro Manila

Attention: Mr. Borneo Reyes
Division, External Assistance Staff

COURTESY TRANSLATION

THE AMBASSADOR
OF THE FEDERAL REPUBLIC OF GERMANY

Manila, 20 January 1986

Excellency,

I have the honour to refer to item 3.2.2.1 of the Summary Record of the discussions held in Bonn on 13 and 14 August 1985 between our two Governments and to propose on behalf of the Government of the Federal Republic of Germany that, in extension of the Arrangement of 5 March/8 July 1982 and in pursuance of the Agreement of 7 September 1971 regarding Technical Co-operation, the following Arrangement concerning the project "Coal Exploration" be concluded for the period 1 January 1986 to 30 June 1987.

1. The Government of the Federal Republic of Germany and the Government of the Republic of the Philippines shall continue their cooperation on the promotion of the Bureau of Energy Development (BED) in Manila. The aim of this joint project is to qualify the Bureau of Energy Development to carry out its tasks.

2. The Government of the Federal, Republic of Germany shall make the following contributions:

(1) It shall second the following experts:

(a) one geologist with experience in coal exploration (head of the group of seconded experts) for up to 18 months;

(b) one geologist with special knowledge of lignite prospecting for up to 18 month;

(c) one geologist with special knowledge of lithology and tectonics for up to 18 months;

(d) one mining engineer with special knowledge of drilling, pitting and trenching activities for up to 18 months;

(e) up to seven short-term experts with special knowledge of photogeology, biostratigraphy, coal chemistry, coal petrography and coal utilization for a total of up to 24 man/months;

(f) one trainee for up to 12 months.

(2) It shall meet the cost of accommodation for the seconded experts and their families, in so far as this cost is not met by the experts themselves.

(3) It shall meet the cost of necessary official travel by the second experts within and outside the Republic of the Philippines.

(4) It shall supply cif Manila goods worth up to a total of approximately DM 385,000 (three hundred and eighty-five thousand Deutsche Mark) and meet the costs of drawing up reports on project results. The goods supplied shall become the property of the Republic of the Philippines on arrival in the Philippines or on local procurement; they shall, however, be at the unrestricted disposal of the seconded experts for the fulfilment of their tasks.

(5) It is ready to provide further technical training in the Federal Republic of Germany for a period of up to one

year and up to three months respectively for up to two Philippine scientists with suitable knowledge of and experience, in palynology and bore-hole logging, who shall be nominated by the BED in agreement with the head of the group of seconded experts, on the understanding that they shall be assigned to the project upon their return and continue the tasks of the seconded experts on their own.

(6) It is ready to provide for a limited number, yet to be determined, of investigations to be carried out in the laboratories of the Bundesanstalt für Geowissenschaften und Rohstoffe (BGR) in Hanover, namely

(a) chemical control analyses and special laboratory investigations of coal and sediment samples, which cannot be performed in the Republic of the Philippines and are suggested by the head of the group of seconded experts (about 30 samples);

(b) investigations of series of samples from the Republic of the Philippines, to be carried out by the Philippine scientists to be seconded to the Federal Republic of Germany for further training pursuant to sub-paragraph 5 above.

3. The Government of the Republic of the Philippines shall make the following contributions:

(1) It shall afford the seconded experts any assistance they may require in carrying out the tasks assigned to them and make available all-necessary data, records, documents and information.

(2) It shall nominate for each seconded expert at least one sufficiently trained scientific counterpart and one administrative expert and ensure that these counterparts are committed to their joint tasks for the period of assignment of the seconded experts; the director of the Coal and Uranium Division of the BED shall be the counterpart of the head of the group of seconded experts.

(3) It shall provide a sufficient number of auxiliary personnel for office, field and laboratory work, specifically geological field assistants, one topographic surveyor with auxiliary staff, two experienced head drillers, one English-speaking secretary, one draughtsman as well as drivers and other auxiliary staff as required.

(4) It shall meet the cost of air transport arising in connection with the basic and further training of up to two Philippine experts in the Federal Republic of Germany.

(5) It shall

(a) make available suitably furnished and air-conditioned workrooms for the seconded experts;

(b) ensure that suitable storerooms are available for the equipment;

(c) make available suitable premises to accommodate the new palynological laboratory and the envisaged extension to the coal laboratory;

(d) ensure the investigation of the coal samples;

(e) meet the operating, maintenance and repair costs of the vehicles and equipment provided pursuant to paragraph 2 (4) above;

(f) ensure that, after the conclusion of the project, the exploration equipment supplied within the scope of technical co-operation (one drilling rig from phase 1, one sampling device and one bore-hole logging device from phase 2) remain at the disposal of an organization dealing with exploration.

(6) it shall

(a) ensure that field work in the individual working areas is begun only after a careful safety check has been made;

(b) guarantee that the planned working areas are closed to private persons for the duration of the project;

4. The experts referred to in paragraph 2 (1) above shall, in close co-operation with their Philippine counterparts, in particular perform the following tasks with a view to ensuring that the latter take over these tasks as soon as possible and, particularly after the German assistance has been concluded, continue them on their own:

- (a) surveying, prospecting and exploration of complex coal deposits in the Visayas and evaluation thereof;
- (b) professional support for BED staff in their original duties: evaluating the results of exploratory activities of concessionaires and assistance from case to case in mining problems;
- (c) advisory assistance for the BED's professional and technical activities by means of negotiations with concessionaires, and supervision of their exploratory activities.

Details of the work plans shall be jointly determined by the BED and the head of the group of seconded experts.

5. (1) The Government of the Federal Republic of Germany shall charge the Bundesanstalt für Geowissenschaften und Rohstoffe (Federal Institute for Geosciences and Natural Resources), 3000 Hannover 51, with the implementation of its contributions.

(2) The Government of the Republic of the Philippines shall charge the Bureau of Energy Development in Manila with the implementation of the project.

(3) The agencies charged pursuant to subparagraphs 1 and 2 above may jointly lay down details of the implementation of the project in a plan of operations or in some other appropriate form, adapting them as necessary in line with the progress of the project.

6. In all other respects the provisions of the aforementioned Agreement of 7 September 1971, including the Berlin clause (Article 9), shall apply to the present Arrangement.

If the Government of the Republic of the Philippines agrees to the proposals contained in paragraphs 1 to 6 above, this Note and Your Excellency's Note in reply thereto expressing your Government's agreement shall constitute an Arrangement between our two Governments, to enter into force on the date of your Note in reply.

Accept, Excellency, the assurance of my highest, consideration.

His Excellency
Pacifico A. Castro
Acting Minister for Foreign Affairs
of the Republic of the Philippines
Manila

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