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Excellency:

I have the honor to refer to Your Excellency's Note dated 9 September 1987, the text of which is quoted hereunder:

"I have the honor to refer to item 3.2.2.2 of the Summary Record of the German-Philippine intergovernmental negotiations held in Bonn on 13 and 14 August 1985 and to propose on behalf of the Government of the Federal Republic of Germany that, in pursuance of the Agreement of 7 September 1971 between our two Governments regarding Technical Cooperation, the following Arrangement concerning the Export Development project be concluded.

1. The Government of the Federal Republic of Germany and the Government of the Republic of the Philippines shall jointly promote the Export Development Project as an intergroup project of the Philippine Ministry of Trade and Industry, with a view to providing or maintaining access to export markets for small Philippine enterprises and to upgrade the aptitude of the staff in the relevant divisions of the said Ministry.

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

(1) It shall

(a) second one long-term expert, in the Republic of the Philippines for up to 36 months, employ one expert in the Federal Republic of Germany for up to 36 months, and second short-term experts for a total of up to 72 man/months;

(b) supply two (2) cars and one (1) general utility vehicle and if required, one (1) personal computer; subsidize the costs of participation of up to fourth (4) trade fairs anywhere within the EEC per year; subsidize the costs for the procurement of samples and the development and production of bilingual (German and English) catalogues as required;

(c) engage one local expert to administer the project in situ for up to 36 months and meet the cost of employing him;

(2) It is prepared to provide further training in the Federal Republic of Germany in market analysis and business consultancy for up to six Philippine experts, who shall be employed on the project upon their return and carry on the work of the seconded experts on their own.

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

(1) It shall

(a) make available one or more experts as counterparts to the German long-term expert;

(b) designate the members of the Executive Committee; consisting of experts from the International Trade, Board of Investment and Regional Development divisions and the German adviser to the Board of Investment (BOI);

- (c) make available one bilingual secretary for the German experts;
- (d) make available suitable offices and the requisite office materials;
- (e) meet the air-travel costs arising in connection with the training of Philippine experts in the Federal Republic of Germany or in third countries.

(2) It shall

- (a) exempt the material supplied for the project; on behalf of the Government of the Federal Republic of Germany from licenses, harbour dues, import and export duties and other public charges, as well as storage fees, and ensure that the material is cleared by customs without delay . The aforementioned exemptions shall, at the request of the implementing agency, also apply to material procured in the Philippines;
- (b) afford the German experts any assistance they may require in carrying out the tasks assigned to them both outside and within the Ministry of Industry and Trade.

4. The seconded experts shall have the following tasks:

- product-related observation of European markets in relation to Philippine raw materials and finished products,
- collection and processing of data concerning the quality requirements for Philippine products,
- identification of the demand for Philippine exports on selected European markets and particularly on the German market,
- medium-term assessment of the demand for Philippine raw materials and finished products on European markets,
- formulation of recommendations on product enhancement, on the development of new products and on pricing,
- formulation of policy recommendations in response to changing export conditions and on adjustment to predicted medium-term changes in the international economic climate;
- regular reporting to the co-operating agency, and training of counterparts in the Philippines and in the Federal Republic of Germany.

5. The material supplied for the project on behalf of the Government of the Federal Republic of Germany shall become the property of the Republic of the Philippines on arrival in the Philippines; the material shall be at the unrestricted disposal of the sponsored project and the seconded experts for the fulfillment of their tasks.

6. (1) The Government of the Federal Republic of Germany shall charge the Deutsche Gesellschaft fuer Technische Zusamenarbeit (GTZ) GmbH, D-6236 Eschborn, with the implementation of its contributions.

(2) The Government of the Republic of the Philippines shall charge the Department of Trade and Industry, Manila, with the implementation of the project.

(3) The agencies charged pursuant to sub-paragraphs 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.

7. 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 7 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 assurances of my highest consideration.”

I have the honor to inform Your Excellency that my Government agrees to the proposal contained, in paragraphs 1 to 7 quoted above, and that Your Excellency’s Note and this Note shall constitute an Arrangement between our two Governments, to take effect on the date of this reply.

Accept, Excellency, the renewed assurances of my highest consideration.

(Sgd.)

JOSE D. INGLES

Undersecretary for Foreign Affairs

His Excellency

Dr. Peter Scholz

Ambassador Extraordinary and Plenipotentiary

Embassy of the Federal Republic of Germany

Citibank Center, Paseo de Roxas

Makati, Metro Manila

COURTESY TRANSLATION

Republic of Germany

Manila

Charge d’ Affaires a.i.

Manila, 9 September 1987

Excellency,

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the procurement of samples and the development and production of bilingual (German and English) catalogues as required.

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- (a) exempt the material, supplied for the project on behalf of the Government of the Federal Republic of Germany from licences, harbour dues, import and export duties and other public charges, as well as storage fees, and ensure that the material is cleared by customs without delay. The aforementioned exemptions shall, at the request of the implementing agency, also apply to material procured in the Philippines;
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Accept, Excellency, the assurance of my highest consideration.

(Sgd.) Dr. EDMUNDO DUCKWITZ

His Excellency
SALVADOR H. LAUREL
Vice-President
Secretary of Foreign Affairs
of the Republic of the Philippines
Manila

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