BILATERAL · JULY 5, 1988

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Excellency:

I have the honor to refer to Your Excellency's Note dated 05 July 1988, the text of which is quoted hereunder:

"I have the honour to refer to the negotiations conducted between our two Governments on 24 and 25 November 1987 (Summary Record, 3.3) and to propose on behalf of the Government of the Federal Republic of Germany that, in pursuance of the Agreement of 07 September 1971 regarding .Technical Co-operation, the following Arrangement concerning the project "Tissue Culture of Coconut Palms" be concluded.

1. The Government of the Federal Republic of Germany and the Government of the Republic of the Philippines shall cooperate on coconut research with a view to further developing tissue culture methods for the propagation of coconut palms.

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

(1) It shall

(a) second

- one expert in tissue culturing for a total of up to 36 man/months;

- short-term experts and consultants to deal with special problems, in particular regarding

- methodological questions

- phytosanitary questions

- project progress monitoring

for a total of up to 6 man/months;

- post graduates to conduct project-related studies at Wye College for, a total of up to 48 man/months;

(b) supply equipment, in particular

- a vehicle

- a greenhouse

- laboratory equipment

- expendable materials

- offices equipment and supplies

- literature

up to a total value of DM 290,000 (two hundred and ninety thousand Deutsche Mark).

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(2) It shall meet the cost of

(a) accommodation of the seconded experts and their families, in so far as this cost is not met by the experts themselves;

(b) official travel by the seconded experts within and outside the Republic of the Philippines;

(c) transport and insurance to the place of utilization of the items referred to in paragraph 2 (1) (b) above, excluding the charges and storage fees referred to in paragraph.3 (2) (b) below;

(d) operation and maintenance of the vehicles used by the seconded experts, administrative costs and, where shortages occur, operating costs associated with measures for the implementation of the project, up to a total of DM 260,000 (two hundred and sixty thousand Deutsche Mark).

(3) It is prepared to provide basic and further training, presumably in the field of tissue culture and seedling cultivation, for up to 3 Philippine experts, who shall be employed on the project upon their return and carry on the work of the seconded experts on their own.

The recipients of this training-shall be selected with the agreement of the seconded German expert and the co-operating agency specified in paragraph 6 (2) below.

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

It shall

(a) make available experts; in particular for the

- laboratories and for

- plant cultivation in greenhouses and tree nurseries, as well as auxiliary staff for the areas specified in sub-paragraph 1 (a) above;

(b) 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;

(c) meet the operating and maintenance costs in respect of the project, excluding the costs specified in paragraph 2(2) (d) above;

(d) ensure that the tasks of the seconded experts are taken over as soon as possible by Philippine experts. Where the latter are to receive basic or further training in the Republic of the Philippines, the Federal Republic of Germany or other countries pursuant to this Arrangement, it shall in good time nominate, in collaboration with the mission of the Federal Republic of Germany in the Philippines or with experts designated by the mission, a sufficient number of candidates for such training. It shall only nominate such candidates as have given an undertaking to work on the project for at least five years after completing their training; it shall ensure that these Philippine experts receive appropriate remuneration;

(e) recognize, in accordance with their respective standards, examinations passed by Philippine nationals having received training pursuant to this Arrangement. It shall afford the persons concerned such opportunities with regard to careers, appointments and advancement as are commensurate with their training;

(f) afford the seconded experts any assistance they may require in carrying out the tasks assigned to them and place at their disposal all necessary records and documents.

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4. The seconded experts and the Philippine experts shall have the following tasks:

- setting up of tissue culture laboratories and cultivation rooms;
- installation of a greenhouse for seedling cultivation;
- selection and procurement of suitable plant material;
- further development of tissue culture methods;
- selection of tree nurseries for testing of seedlings cultivation
- development of project organization.

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 fulfilment of their tasks.

6. (1) The Government of the Federal Republic of Germany shall charge the Deutsche Gesellschaft fur Technische Zusam-menarbeit (GTS) GmbH, 6236 Eschborn, with the implementation of its contributions.

(2) The Government of the Republic of the Philippines shall charge the Philippine Coconut Authority at the Albay Research Centre with the implementation of the project.

(3) The agencies charged pursuant to sub-paragraph 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 assurance 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.) MANUEL T. TAN
Acting Secretary of 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

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