

No. 13701

**BRAZIL
and
JAPAN**

**Basic Agreement on technical co-operation. Signed at
Brasília on 22 September 1970**

Authentic text: English.

Registered by Brazil on 17 December 1974.

**BRÉSIL
et
JAPON**

**Accord de base relatif à la coopération technique. Signé à
Brasília le 22 septembre 1970**

Texte authentique : anglais.

Enregistré par le Brésil le 17 décembre 1974.

BASIC AGREEMENT¹ ON TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF JAPAN

The Government of the Federative Republic of Brazil and the Government of Japan,

Desiring to strengthen further the friendly relations existing between the two countries by the promotion of technical co-operation and,

Considering mutual benefits derived from promoting the economic and social progress of the respective countries,

Have agreed as follows:

Article I. The two Governments will endeavour to promote technical co-operation between the two countries.

Article II. The two Governments will conclude in the form of exchange of notes or in any other similar form supplementary agreements to carry out specific technical co-operation programs to be agreed upon between the two Governments.

Article III. In order to achieve the objectives of this Agreement, the Government of Japan will, in accordance with laws and regulations in force in Japan and subject to the agreements referred to in article II, take at its own expense the following measures:

- (I) to provide the Brazilian nationals with fellowships for technical training in Japan;
- (II) to dispatch Japanese experts to Brazil;
- (III) to provide the Government of the Federative Republic of Brazil with equipment, machinery and materials;
- (IV) to send missions to Brazil to conduct survey of economic and social development projects of Brazil;
- (V) to provide any other form of technical co-operation which may be mutually agreed upon.

Article IV. (1) The experts dispatched by the Government of Japan will maintain close contact with the Government of the Federative Republic of Brazil through the bodies designated by it and will comply with such instructions from this Government as may be necessary for the performance of their duties.

(2) The Government of the Federative Republic of Brazil will ensure that the techniques and knowledge acquired by Brazilian nationals as a result of the Japanese co-operation as provided for in article III will contribute to the economic and social development of Brazil.

Article V. (1) In case the Government of Japan dispatches experts under the provisions of article III (II), the Government of the Federative Republic of Brazil will take at its own expense the following measures:

¹ Came into force on 15 July 1971, the date of receipt by the Government of Japan of a note from the Government of Brazil stating that necessary formalities had been completed, in accordance with article XI (1).

- (I) to provide office and other facilities required for the performance of the duties of the experts and to bear the expenses for the maintenance thereof;
- (II) to provide the local staff (including the Brazilian counterparts of the experts) necessary for the performance of the duties of the experts; and
- (III) to bear:
 - (a) expenses for daily transport to and from their place of work,
 - (b) expenses for their official travels in Brazil, and
 - (c) expenses for their official correspondence.

(2) The Government of the Federative Republic of Brazil, through the bodies designated by it in the supplementary agreements, will grant the experts referred to in (1) above and their families:

- (I) appropriate furnished accommodation, taking into account local conditions and financial possibilities of the aforementioned bodies;
- (II) free medical service and facilities in case of accident or illness resulting from the work or from the conditions of the local environment.

Article VI. (1) The experts assigned by the Government of Japan to Brazil in accordance with the supplementary agreements pursuant to this Agreement will be exempted from import license, certificate of foreign exchange coverage, consular fees, customs duties and similar tariffs and duties, excluding those charges which represent payment for specific services rendered, in respect of the importation, during six months after their arrival, of:

- (I) their and their families' baggage;
- (II) personal and household goods and consumer goods brought into Brazil for their and their families' use, as the Brazilian legislation in force may allow;
- (III) one motor vehicle for their personal use brought into Brazil in their own name or in the name of their spouses, provided that they remain in the country for at least one year.

Authorization to import a motor vehicle shall be granted by the Ministry of External Relations of Brazil upon previous demand of the Embassy of Japan.

The right to import one motor vehicle may be replaced by the right to buy a Brazilian produced motor vehicle, under special treatment as provided for in accordance with laws and regulations in force in Brazil.

The motor vehicles mentioned above may be sold or transferred in accordance with laws and regulations in force in Brazil.

(2) The Government of the Federative Republic of Brazil will grant the experts referred to in (1) the same facilities for the export of the aforementioned goods according to national legislation in force.

(3) The Government of the Federative Republic of Brazil will also take the following measures:

- (I) to issue, upon application, entry and exit visas for the experts and their families, free of charge;

(II) to issue identification cards to the experts and their families and to secure the co-operation of all governmental organizations necessary for the performance of the duties of the experts.

Article VII. The Government of the Federative Republic of Brazil will bear claims, if any arises, against the experts dispatched by the Government of Japan resulting from, occurring in the course of, or otherwise connected with the discharge of their duties under the supplementary agreements pursuant to this Agreement, except when the two Governments agree that such claims arise from gross negligence or willful misconduct on the part of the experts.

Article VIII. The experts dispatched by the Government of Japan in accordance with supplementary agreements pursuant to this Agreement will be granted such privileges, exemptions and benefits as provided for in the Basic Agreement of technical assistance between Brazil, the United Nations, Specialized Agencies and International Atomic Energy Agency, signed in Rio de Janeiro, on December 29th 1964.¹

Article IX. (1) The equipment, machinery and materials provided by the Government of Japan under the provisions of article III will become the property of the Government of the Federative Republic of Brazil, upon being delivered C.I.F. at the port of disembarkation to the Brazilian authorities concerned. These equipment, machinery and materials will be utilized for the purpose for which they will be provided.

(2) The equipment, machinery and materials referred to in (1) above will be exempted, at the time of their importation, from import license, certificate of foreign exchange coverage, customs duties, consular fees and other related charges.

(3) The expenses for the inland transportation and replacement of the equipment, machinery and materials referred to in (2) above will be borne by the Government of the Federative Republic of Brazil.

(4) The equipment, machinery and materials specified in the supplementary agreements which the experts and the survey missions referred to in article III (II) and (IV) will carry for their duties will remain the property of the Government of Japan, unless otherwise agreed, and will be exempted from the internal taxes and other charges to be imposed in Brazil, as well as from those mentioned in (2) above.

Measures will be taken to facilitate the re-exportation of these articles.

(5) The expenses for the inland transportation of the equipment, machinery and materials referred to in (4) above will be borne by the Government of the Federative Republic of Brazil.

Article X. The two Governments will enter into consultations, when necessary, with respect to the implementation of this Agreement.

Article XI. (1) This Agreement will enter into force on the date of receipt by the Government of Japan of a note from the Government of the Federative Republic of Brazil stating that necessary formalities for the entry into force of the Agreement have been completed.

¹ United Nations, *Treaty Series*, vol. 684, p. 248.

(2) This Agreement will be valid for a period of one year and will be automatically renewed every year for another period of one year, unless either Government, six months before the end of the period, gives the other written notice of its intention to terminate the Agreement.

IN WITNESS THEREOF the undersigned, duly authorized thereto, have signed this Agreement.

DONE in duplicate in English, at the City of Brasília, on the Twenty Second day of September of the year One Thousand Nine Hundred and Seventy.

For the Government
of the Federative Republic
of Brazil:

MARIO GIBSON BARBOZA

For the Government
of Japan:

KIICHI AICHI
