

No. 16028

**UNITED STATES OF AMERICA
and
PHILIPPINES**

**Exchange of notes constituting an agreement relating to a
United States Naval Medical Research Unit. Manila,
12 and 21 May 1976**

Authentic text: English.

Registered by the United States of America on 29 November 1977.

**ÉTATS-UNIS D'AMÉRIQUE
et
PHILIPPINES**

**Échange de notes constituant un accord relatif à un groupe
de recherche médicale de la Marine des États-Unis.
Manille, 12 et 21 mai 1976**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 29 novembre 1977.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES RELATING TO A UNITED STATES NAVAL MEDICAL RESEARCH UNIT

I

EMBASSY OF THE UNITED STATES OF AMERICA

No. 278

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines and has the honor to refer to the past projects of joint medical research conducted in the Republic of the Philippines by United States Naval Medical Research Unit-Two (NAMRU-2) in conjunction with the Philippine Department of Health and the recent discussions between the appropriate authorities of the two Governments concerning the continuation of such medical and scientific research projects. In order to encourage the continuation of projects of this nature and to clarify the research arrangements, the Embassy has the honor to propose the following:

For the purposes of this Agreement, the Department of Health shall be the responsible agency for the Government of the Philippines, and Naval Medical Research Unit-Two (NAMRU-2) shall be the responsible agency for the United States Government. Direct liaison between the Department of Health and NAMRU-2 is authorized unless otherwise directed by either Government.

NAMRU-2 may participate in the conduct of such joint medical research projects and studies in the field of diseases endemic and epidemic in the Philippines as are mutually agreed upon by NAMRU-2 and the Department of Health. In addition, other collaborative scientific and medical studies may be conducted as agreed upon between NAMRU-2 and the Department of Health.

Each medical and scientific research project will be agreed upon by the responsible agencies of the two Governments prior to commencement of research.

The Department of Health shall make available, maintain and repair without cost to the Government of the United States, on a temporary basis, appropriate laboratory space and office facilities necessary to accomplish the purposes of this Agreement. NAMRU-2 will supply necessary equipment and supplies for the operation of the laboratory and office and may temporarily employ such local personnel as it deems necessary for the purposes of this Agreement. The Department of Health shall assist NAMRU-2 in recruiting appropriate local personnel.

United States civilian and military personnel assigned or attached to NAMRU-2, and their dependents, will be permitted to enter the Republic of the Philippines for limited periods of time for the purpose of carrying on agreed medical and scientific research projects. Upon entry such individuals will have in their possession appropriate identification and necessary travel documents in compliance with Philippine immigration laws and regulations.

All United States civilian and military personnel, entering the Republic of the Philippines for purposes of medical or scientific research projects conducted pursuant to

¹ Came into force on 21 May 1976, the date of the note in reply, in accordance with the provisions of the said notes.

this Agreement, and their dependents, shall be accorded by the Government of the Philippines privileges and immunities on the same basis as the administrative and technical staff of the United States Embassy and their dependents in the Republic of the Philippines with the exception that tax and duty exemptions will be limited to their professional instruments and implements, tools of employment, wearing apparel and personal and household effects accompanying them or arriving within a reasonable period of time after their entry into the Philippines. In order to identify the above individuals temporarily in the Republic of the Philippines and participating in or rendering consultative services in the research activities, and their dependents, the United States Embassy will properly notify the Department of Foreign Affairs prior to their arrival, specifying their names, positions, intended length of stay in the Republic of the Philippines and purposes of the research project.

The Government of the Philippines shall permit the import or export, without tax, duty or other charge, of biological and other types of specimens as agreed to by the Department of Health. In addition, laboratory equipment and other supplies brought into the Republic of the Philippines for the purpose of agreed medical or scientific research projects will be exempt from duty, taxes and other charges in relation to their import, presence and use in the Philippines, and export. A list of such equipment and supplies will be provided the Department of Health upon their importation and all equipment and supplies, except expendable items, will be accounted for upon their exportation. The Department of Health shall in turn certify as to the equipment and supplies needed in the research program brought in under this Agreement.

Except in areas where travel might be prohibited for reasons of security or personal safety, NAMRU-2 personnel and vehicles shall be permitted to travel without restriction throughout the Philippines for the purpose of gathering research data and observing various medical and scientific phenomena under field conditions. To facilitate epidemiological and other studies requiring continual work at field locations, small field laboratories may be established outside the Manila area upon concurrence of the Department of Health. All costs relating to the establishment and operation of such field laboratories will be the responsibility of NAMRU-2.

Mutually agreeable programs of research and training compatible with the resources and authority of NAMRU-2 will be encouraged and cooperative programs and studies may be conducted, in consultation with the Department of Health, with schools of medicine, private hospitals and other civil and military health authorities of the Government of the Philippines.

NAMRU-2 shall furnish the appropriate departments of the Government of the Philippines with periodic progress reports and results of all research conducted in the Republic of the Philippines. All research studies conducted in the Republic of the Philippines will be reviewed and clearances obtained from the appropriate agencies of the Government of the Philippines and NAMRU-2 prior to publication.

This Agreement may be terminated by either Party at any time provided that at least three months prior notice of intention to terminate has been given.

If the foregoing is acceptable to the Government of the Philippines, the Embassy has the honor to propose that this Note and the Department's reply to that effect shall together constitute an agreement between the Government of the Philippines and the Government of the United States of America effective on the date of the Department's Note in reply.

The Embassy avails itself of this opportunity to renew to the Department of Foreign Affairs the assurances of its highest consideration.

Embassy of the United States of America

Manila, May 12, 1976.

II

REPUBLICA NG PILIPINAS
KAGAWARAN NG SULIRANING PANLABAS
MAYNILA¹

No. 76-1230

The Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to acknowledge the receipt of the Embassy's Note No. 278 dated 12 May 1976, concerning the continuation of the medical research projects being conducted in the Philippines by the United States Naval Medical Research Unit—Two (NAMRU-2) in conjunction with the Philippine Department of Health.

The Department wishes to inform the Embassy that the Philippine Government welcomes the continuation of the medical research projects and accepts the proposals of the United States as contained in the aforementioned note. Accordingly, the Embassy's note and this reply shall constitute an agreement between the two Governments, effective on the date of this reply.

The Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Manila, 21 May 1976.

¹ Republic of Philippines, Department of Foreign Affairs, Manila.