

No. 22378

**BRAZIL
and
JAPAN**

Exchange of notes constituting an agreement on co-operation in the field of agricultural research in Brazil (with arrangement and annexes). Brasília, 30 September 1977

Exchange of notes constituting an agreement on the extension for a maximum period of six months of the arrangement incorporated to the above-mentioned Agreement (with annex). Brasília, 29 September 1982

Authentic texts of the Agreement of 30 September 1977: Portuguese and English.

Authentic texts of the Agreement of 29 September 1982: Portuguese and Japanese.

Registered by Brazil on 4 October 1983.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF JAPAN ON CO-OPERATION IN THE FIELD OF AGRICULTURAL RESEARCH IN BRAZIL

I

Brasília, September 30, 1977

Excellency,

I have the honour to refer to the Basic Agreement on Technical Co-operation between the Government of Japan and the Government of the Federative Republic of Brazil, signed at Brasilia, September 22, 1970,² and to the recent discussions held between the representatives of the two Governments concerning the agricultural research co-operation in Brazil, and to propose, on behalf of the Government of Japan, pursuant to the provisions of Article II of the Basic Agreement, the Arrangement between the Government of Japan and the Government of the Federative Republic of Brazil, attached hereto, concerning the agricultural research co-operation in Brazil.

In case the Government of the Federative Republic of Brazil agrees with the said proposal, I have further the honour to suggest that, this note and Your Excellency's reply, expressing the agreement of the Government of the Federative Republic of Brazil shall be regarded as constituting an agreement between the two Governments, which will come into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

[Signed]

KENZO YOSHIDA
Ambassador Extraordinary
and Plenipotentiary of Japan

His Excellency Ambassador Ramiro Saraiva Guerreiro
Minister *ad interim* for External Relations

ARRANGEMENT BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL CONCERNING THE AGRICULTURAL RESEARCH CO-OPERATION IN BRAZIL

Pursuant to the provisions of Article II of the Basic Agreement on Technical Co-operation between the Government of Japan and the Government of the Federative Republic of Brazil, the following provisions will be applied by the two Governments:

¹ Came into force on 30 September 1977, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 956, p. 207.

1. (1) The Government of Japan and the Government of the Federative Republic of Brazil will co-operate with each other in implementing the Japan-Brazil Agricultural Research Co-operation Project (hereinafter referred to as "the Project") for the purpose of developing the technology of agricultural production which will serve as a guideline for agricultural development plans in semi-arid and poorly vegetated regions of Cerrado.

(2) The Project will be implemented in accordance with the Basic Plan of the Project as stipulated in Annex I.

2. (1) The Government of Japan will, in accordance with the laws and regulations in force in Japan, take necessary measures to provide, at its own expense, the services of Japanese experts as listed in Annex II.

(2) Some additional experts may also be dispatched on short term assignment through the normal procedures under the Technical Co-operation Plan of the Government of Japan when necessity arises.

(3) The provisions of Articles IV (1), V (1) (iii) and (2), VI, VII and VIII of the Basic Agreement will apply to the Japanese experts referred to in sub-paragraphs (1) and (2) above.

3. (1) The Government of Japan will, in accordance with the laws and regulations in force in Japan, take necessary measures to provide, at its own expense, the equipment, machinery and materials required for the implementation of the Project and not produced in Brazil.

(2) The list of equipment, machinery and materials required will be agreed upon between the authorities concerned of the two Governments within the scope of those stipulated in Annex III.

(3) The provisions of Article IX of the Basic Agreement on Technical Co-operation will apply to the equipment, machinery and materials referred to in subparagraphs (1) and (2) above.

(4) The Government of the Federative Republic of Brazil will bear the expenses necessary for the installation, operation and maintenance of the equipment, machinery and materials referred to in sub-paragraphs (1) and (2) above.

4. (1) The Government of Japan will, in accordance with the laws and regulations in force in Japan, take necessary measures to receive Brazilian researchers and research administrators engaged in the Project for training and study tour in Japan through the normal procedure under Technical Co-operation Plan of the Government of Japan.

(2) The provisions of Article IV (2) of the said Basic Agreement will apply to the techniques and knowledge acquired by the researchers and research administrators mentioned in subparagraph (1) above.

5. The Government of the Federative Republic of Brazil will take necessary measures to provide at its own expense:

- (a) The services of Brazilian experts and other personnel, necessary for the implementation of the Project, as listed in Annex IV;
- (b) Land and buildings necessary for the implementation of the Project, as listed in Annex V, as well as incidental facilities; and
- (c) Supply or replacement of equipment, machinery, vehicles, instruments, tools and other materials necessary for the implementation of the Project other than those provided by the Government of Japan.

6. The Government of the Federative Republic of Brazil will take necessary measures to meet all running expenses necessary for the implementation of the Project.

7. The Technical Director of the Brazilian Agricultural Research Enterprise will be responsible for the administration and implementation of the Project, and Japanese experts will provide guidance and advice on technical matters necessary for the implementation of the Project.

8. For the successful implementation of the Project, close relationship will be maintained between the Agricultural Research Center for the Cerrado Region (hereinafter referred to as "CPAC"), the Brazilian Agricultural Research Enterprise (hereinafter referred to as "EMBRAPA"), and the Brazilian research institutions referred to in Annex I, 4 on the one hand, and Japanese agricultural research institutions concerned of the Government of Japan on the other hand.

9. For the effective implementation of the Project, a joint Committee on the Agricultural Research Co-operation, consisting of the members as listed in Annex VI, will be established and meet at least once a year. The Committee will formulate the details of the Basic Plan referred to in paragraph 1 and the annual operational work plan of the Project. The details of the Basic Plan and of the annual operational work plan will be submitted to the authorities concerned of the two Governments for their approval.

10. The two Governments will consult with each other in respect of any matter that may arise from or in connection with this Arrangement.

11. This Arrangement will come into force on the date of signature and remain in force for a period of five years. However, either Government may, at any time, give notice to the other Government of its intention to terminate the Arrangement, in which case it will terminate six months after such notice has been given.

ANNEX I

BASIC PLAN OF THE PROJECT

1. The Project will be implemented in the fields of plant pathology, entomology, agronomy including crop physiology, soil-plant-water relationship, agricultural meteorology, agricultural machinery, plant breeding, and farm management and economic analysis with a view to contributing to the plans of utilization of soil, climate and plant resources in Cerrado.

2. The Project will consist of the following activities:

- a. Research work on the fields referred to in 1 above;
- b. Exchange of information, samples, materials and research reports necessary for the Project;
- c. Development of research capabilities of the researchers of both countries in the fields referred to in 1 above;
- d. Other activities to be agreed upon between the authorities concerned of the two Governments.

3. The activities mentioned in 2 above will be conducted mainly at CPAC. CPAC will conduct such activities as mentioned above in cooperation with other institutions listed in 4 below, under the control of EMBRAPA, which will exercise the functions of overall adjustment, coordination and management of the Project.

4. Other institutions and their functions:

<i>Name of institution</i>	<i>Functions</i>
Agricultural Research Enterprise of the State of Minas Gerais	Coordination of research for the promotion of the Cerrado Development Scheme in Minas Gerais
Uberaba Agricultural Experiment Station	Implementation of applied research and research on production system and its economic evaluation

Patos de Minas Agricultural Experiment Station	Implementation of applied research and research on production system and its economic evaluation
Agricultural Experiment Station of the Settlement Programme in Alto Paranaíba	Trial experiment in connection with the research work

ANNEX II

LIST OF JAPANESE EXPERTS

1. Leader
2. Researchers covering the following fields:
 - a.* Plant pathology
 - b.* Entomology
 - c.* Agronomy
 - d.* Soil-plant-water relationship
 - e.* Plant breeding
 - f.* Agricultural machinery
 - g.* Agricultural meteorology
 - h.* Farm management and economic analysis
3. Liaison Officer

NOTES:

(1) The experts will be dispatched to CPAC taking into account the progress of the Project.

The researchers may conduct research activities at any other institutions referred to in Annex I when necessity arises.

(2) The researchers in the field of 2 *e* to *h* above will be dispatched as experts on short term assignment not exceeding twelve months.

(3) The experts may visit any other research institutions located in Cerrado than those referred to in Annex I to give technical advice and exchange information.

ANNEX III

LIST OF EQUIPMENT, MACHINERY AND MATERIALS

1. Equipment including electronic articles, machinery, instruments, tools, spare parts thereof and other materials for laboratory work
2. Equipment, machinery, instruments, tools, spare parts thereof and other materials for field work
3. Specialized mobile units
4. Fertilizer, pesticide and materials for chemical control
5. Audio-visual aids and articles for office training and extension work
6. Books and other necessary printed matters
7. Other necessary minor equipment and materials

ANNEX IV

LIST OF BRAZILIAN EXPERTS AND OTHER PERSONNEL

1. Leader—General Director of CPAC
2. Counterpart researchers to the Japanese researchers
3. Laboratory assistants
4. Field workers
5. Clerical and service personnel, including a typist, clerks, drivers and a translator
6. A private secretary for the leader of the Japanese experts

ANNEX V

LIST OF LAND, BUILDINGS AND OTHER FACILITIES

1. Offices for the Japanese experts
2. Laboratories
3. Glass houses
4. Experimental fields
5. Facilities for storing equipment, machinery and other materials for the implementation of the Project

ANNEX VI

COMPOSITION OF THE JOINT COMMITTEE

1. Chairman: Technical Director of EMBRAPA
2. Japanese side
 - a. Leader referred to in Annex II, 1
 - b. Representative of the Japanese experts
 - c. Representative of Japan International Cooperation Agency
3. Brazilian side
 - a. General Director of CPAC
 - b. Associate Technical Director of CPAC
 - c. Coordinator of CPAC for the plans of utilization of soil, climate and plant resources of Cerrado
 4. Observers

The following representatives may attend the Committee as observers:

 - a. Representatives of the agricultural research institutions concerned of the Government of Japan
 - b. An official of the Embassy of Japan and any other person designated by the Embassy of Japan
 - c. Representatives of the Ministry of Agriculture of the Federative Republic of Brazil
 - d. Representatives of the Brazilian interministerial system of co-ordination of international technical co-operation

[TRANSLATION — TRADUCTION]

30 September 1977

DCOPT/DAOC/DAI/113/644(B46)(E10)

Sir,

I have the honour to acknowledge receipt of your note of today's date, containing the Arrangement concerning the agricultural research co-operation in Brazil, which reads as follows:

[*See note I*]

2. In reply, I inform you that the Government of the Federative Republic of Brazil agrees to the proposal made in your note, and I confirm that your note and this note of reply shall be considered as constituting an agreement between the two Governments, to enter into force on today's date.

Accept, Sir, etc.

RAMIRO SARAIVA GUERREIRO
Acting Minister for External Relations

His Excellency Mr. Kenzo Yoshida
Ambassador Extraordinary and Plenipotentiary
of Japan

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF JAPAN ON THE EXTENSION FOR A MAXIMUM PERIOD OF SIX MONTHS OF THE ARRANGEMENT INCORPORATED TO THE AGREEMENT OF 30 SEPTEMBER 1977 ON CO-OPERATION IN THE FIELD OF AGRICULTURAL RESEARCH IN BRAZIL²

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL ET LE GOUVERNEMENT DU JAPON CONCERNANT LA PROROGATION POUR UNE PÉRIODE MAXIMALE DE SIX MOIS DE L'ARRANGEMENT INCORPORÉ À L'ACCORD DU 30 SEPTEMBRE 1977 CONCERNANT LA COOPÉRATION DANS LE DOMAINE DE LA RECHERCHE AGRICOLE AU BRÉSIL²

I

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

DCOPT/DAOC/281/644(B46)(E10)

O Ministério das Relações Exteriores cumprimenta a Embaixada do Japão e tem a honra de referir-se à troca de Notas entre o Governo da República Federativa do Brasil e o Governo do Japão, de 30 de setembro de 1977, e o Ajuste nela contido, concernente ao projeto "Aproveitamento dos Cerrados", doravante denominado simplesmente "o Ajuste", e aos entendimentos mantidos entre os representantes dos dois Governos sobre a prorrogação do referido Ajuste.

2. Considerando que as negociações com vistas a estender o Ajuste não foram concluídas antes da data de sua expiração, e que ambas as partes julgaram necessário permitir completarem-se as atividades de cooperação técnica remanescentes previstas no Ajuste acima mencionado, o Ministério das Relações Exteriores tem a honra de propor que a permanência dos técnicos japoneses, que atualmente prestam cooperação no âmbito do dito Ajuste, seja provisoriamente estendida por um período não superior a seis meses, a contar da data desta Nota, sendo-lhes mantidos os mesmos privilégios, isenções e benefícios que lhes eram conferidos na vigência do Ajuste. (A lista dos mencionados técnicos japoneses encontra-se em anexo.)

3. O Ministério das Relações Exteriores apreciaria que a Embaixada do Japão confirmasse, em nome do Governo do Japão, a aceitação da proposta acima.

O Ministério das Relações Exteriores aproveita a oportunidade para renovar a Embaixada do Japão os protestos de sua mais alta consideração.

Brasília, em 29 de setembro de 1982

¹ Came into force on 29 September 1982 by the exchange of the said notes

² See p. 292 of this volume.

¹ Entré en vigueur le 29 septembre 1982 par l'échange desdites notes.

² Voir p. 303 du présent volume.

ANEXO

LISTA DE TÉCNICOS JAPONESES

<i>Nome</i>	<i>Campo</i>
Tamotu Ogata	Chefe
Yasuo Sonku	Fitopatologia
Noboru Abe	Entomologia
Kazunori Igita	Agronomia
Morishige Ike	Agronomia
Michikazu Fukuhara	Relação-Solo-Planta-Água
Mikio Habu	Funcionário de Ligação

[TRANSLATION¹ — TRADUCTION²]

DCOPT/DAOC/281/644(B46)(E10)

The Ministry of External Relations presents its compliments to the Embassy of Japan and has the honor to refer to the Exchange of Notes between the Government of the Federative Republic of Brazil and the Government of Japan, dated September 30, 1977 and the Arrangement concerning the Agricultural Research Cooperation Project,³ contained therein (hereinafter referred to as "the Arrangement"), and the discussion held between the representatives of the two Governments concerning the extension of the said Arrangement.

2. Taking into consideration that negotiations with a view to extending the Arrangement were not finalized before its expiration date, and that both sides considered it necessary to allow the completion of the remaining technical cooperation activities foreseen in the above mentioned Arrangement, the Ministry of External Relations has the honor to propose that the assignment of the Japanese experts, currently engaged in the cooperation activities provided for in the said Arrangement, be provisionally extended for a period not exceeding six months from the date of this note, with the same privileges, exemptions and benefits they were granted during the period of validity

[TRADUCTION — TRANSLATION]

DCOPT/DAOC/281/644(B46)(E10)

Le Ministère des relations extérieures présente ses compliments à l'Ambassade du Japon et a l'honneur de se référer à l'échange de notes entre le Gouvernement de la République fédérative du Brésil et le Gouvernement du Japon en date du 30 septembre 1977 et à l'Arrangement qu'il contient au sujet du Projet de «Mise en valeur de la région de Cerrado»¹ (ci-après dénommé l'«Arrangement»), ainsi qu'aux entretiens qui ont eu lieu entre des représentants des deux gouvernements au sujet de la prorogation dudit Arrangement.

2. Comme les négociations relatives à la prorogation de l'Arrangement n'ont pas abouti avant la date de son expiration et comme les deux Parties ont jugé nécessaire de mener à bien les dernières activités de coopération technique prévues dans l'Arrangement susmentionné, le Ministère des relations extérieures propose que la mission des experts japonais qui participent actuellement aux activités de coopération technique prévues dans ledit Arrangement soit provisoirement prolongée pour une période de six mois au maximum à compter de la date de la présente note, avec les mêmes privilèges, exemptions et avantages que ceux qui leur étaient accordés pendant la période

¹ Translation supplied by the Government of Brazil.

² Traduction fournie par le Gouvernement du Brésil.

³ See p. 292 of this volume.

¹ Voir p. 303 du présent volume.

of the Arrangement. (The list of the Japanese experts concerned is attached hereto.)

3. The Ministry of External Relations would appreciate a confirmation from the Embassy of Japan on behalf of the Government of Japan as to the acceptance to the above proposal.

The Ministry of External Relations avails itself of this opportunity to renew to the Embassy of Japan the assurances of its highest consideration.

Brasília, on the 29 of September 1982

ANNEX

LIST OF JAPANESE EXPERTS

<i>Name</i>	<i>Field</i>
Tamotu [Ogata]	Leader
Yasuo Sonku	Plant Pathology
Noboru Abe	Entomology
Kazunori Igita	Agronomy
Morishige Ike	Agronomy
Michikazu Fukuhara	Soil-plant-water relationship
Mikio Habu	Liaison Officer

de validité de l'Arrangement. (La liste des experts japonais intéressés est jointe à la présente note.)

3. Le Ministère des relations extérieures saurait gré à l'Ambassade du Japon de bien vouloir confirmer, au nom du Gouvernement japonais, qu'elle accepte la proposition susmentionnée.

Le Ministère des relations extérieures saisit cette occasion, etc.

Brasília, le 29 septembre 1982

ANNEXE

LISTE DES EXPERTS JAPONAIS

<i>Nom</i>	<i>Spécialité</i>
Tamotu Ogata	Chef d'équipe
Yasuo Sonku	Phytopathologie
Noboru Abe	Entomologie
Kazunori Igita	Agronomie
Morishige Ike	Agronomie
Michikazu Fukuhara	Rapport sols- plantes-eau
Mikio Habu	Agent de liaison

II

[JAPANESE TEXT — TEXTE JAPONAIS]

第 545 号

昭和 57 年 9 月 29 日

口 上 書

在ブラジル連邦共和国日本大使館は、ブラジル連邦共和国外務省に敬意を表するとともに、ブラジル連邦共和国政府の日本国政府に対する提案を伝える / 1982年9月29日付けの同省発口上書

DCOPT/DAOC/281 (日本人専門家の表が添付されている。) に関し、日本国政府は、同口上書に述べられた諸条件のもとに、かつ、日本国の関係法令に従い、前記の表に記載された日本人専門家の現在の派遣期間をこの口上書の日付の日から6箇月を超えない期間暫定的に延長することを確認する光榮を有する。

日本国大使館は、更に、同省の口上書及びこの口上書が両政府間の合意を構成するものとみなしその合意がこの口上書の日付の日に効力を生ずることを確認する光榮を有する。

日本国大使館は、以上を申し進めるに際し、ことに重ねてブラジル連邦共和国外務省に向かつて敬意を表する。

[TRANSLATION¹ — TRADUCTION²]

EMBASSY OF JAPAN
BRAZIL

The Embassy of Japan in Brasília presents its compliments to the Ministry of External Relations of the Federative Republic of Brazil and, with reference to the Ministry's Note DCOPT/DAOC/281 dated September 29 forwarding the proposal by the Government of the Federa-

[TRADUCTION — TRANSLATION]

AMBASSADE DU JAPON
AU BRÉSIL

L'Ambassade du Japon à Brasília présente ses compliments au Ministère des relations extérieures de la République fédérative du Brésil et, se référant à la note du Ministère DCOPT/DAOC/281 en date du 29 septembre contenant une proposition du Gouvernement de la Ré-

¹ Translation supplied by the Government of Brazil.

² Traduction fournie par le Gouvernement brésilien.

tive Republic of Brazil to the Government of Japan with a list of Japanese experts, has the honour to confirm that the Government of Japan will, under the conditions set forth in the above-mentioned Note and in accordance with the relevant laws and regulations of Japan, extend provisionally the present assignment of the said Japanese experts for the period of not exceeding six months from the date of this Note.

The Embassy of Japan has further the honour to confirm that the Ministry's Note and the present Note shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of this Note.

The Embassy of Japan avails itself of this opportunity to renew to the Ministry of External Relations the assurances of its highest consideration.

Brasília, September 29, 1982

publique fédérative du Brésil au Gouvernement du Japon, avec en annexe une liste d'experts japonais, a l'honneur de confirmer que le Gouvernement du Japon accepte, aux conditions énoncées dans la note susmentionnée et conformément aux lois et règlements applicables du Japon, de prolonger provisoirement la mission desdits experts japonais pour une période ne dépassant pas six mois à compter de la date de la présente note.

L'Ambassade du Japon confirme par ailleurs que la note du Ministère et la présente note seront considérées comme constituant entre les deux gouvernements un accord qui entrera en vigueur à la date de la présente note.

L'Ambassade du Japon saisit cette occasion, etc.

Brasília, le 29 septembre 1982