

No. 25899

**BRAZIL
and
JAPAN**

**Exchange of notes constituting an agreement concerning
the agricultural research cooperation in Brazil (with
arrangement). Tokyo, 3 August 1987**

Authentic texts: English and Portuguese.

Registered by Brazil on 29 April 1988.

**BRÉSIL
et
JAPON**

**Échange de notes constituant un accord relatif à la coopé-
ration en matière de recherche agricole au Brésil (avec
arrangement). Tokyo, 3 août 1987**

Textes authentiques : anglais et portugais.

Enregistré par le Brésil le 29 avril 1988.

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

I

Tokyo, August 3, 1987

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 in Brasília on September 22, 1970,² and to the Arrangement between the Government of Japan and the Government of the Federative Republic of Brazil concerning the agricultural research co-operation in Brazil, effected by the Exchange of Notes between the two Governments dated March 28, 1983,³ which ceased to be effective on September 29, 1985.

I have further the honour to refer to the recent discussions held between the representatives of the two Governments with a view to furthering the technical co-operation between the two countries in the field of agricultural research which has been promoted considerably under the above-mentioned Arrangement, and to propose, on behalf of the Government of Japan, pursuant to the provisions of Article II of the Basic Agreement, a new 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 Note in 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 enter 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.

For the Minister for Foreign Affairs:

[Illegible — Illisible]

Director-General
of the Economic Cooperation Bureau

His Excellency Mr. Carlos Antonio Bettencourt Bueno
Ambassador Extraordinary and Plenipotentiary
of the Federative Republic of Brazil

¹ Came into force on 3 August 1987, 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.

³ *Ibid.*, vol. 1316, p. 25.

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 signed in Brasília on September 22, 1970¹ (hereinafter referred to as “the Basic Agreement”), the following provisions will be applied by the two Governments:

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 Projects (hereinafter referred to as “the Projects”) for the purpose of developing the technology of agricultural production in the acid “savannas” region of Cerrado and of vegetable production in Brazil.

(2) The Government of the Federative Republic of Brazil will designate the Brazilian Agricultural Research Enterprise (hereinafter referred to as “EMBRAPA”) as the executing agency for the implementation of the Projects.

(3) The Projects will consist of:

(a) Research Co-operation Project for the Research Program on Agricultural Production in the Acid “Savannas” Region of Cerrado (hereinafter referred to as “Project I”); and

(b) Research Co-operation Project for the Research Program on Vegetable Production (hereinafter referred to as “Project II”).

(4) The Projects will be implemented in accordance with the relevant Basic Plan of the Projects as respectively stipulated in 1 of the Annex I and in 1 of the Annex II.

2. (1) The Government of Japan will, in accordance with the laws and regulations in force in Japan, take necessary measures, through the Japan International Co-operation Agency (hereinafter referred to as “JICA”) which is the executing agency for technical co-operation by the Government of Japan, to provide, at its own expense, the services of Japanese experts as respectively listed in 2 of the Annex I and in 2 of the 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 the two Governments deem it necessary.

(3) The provisions of Article 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, through JICA, to provide, at its own expense, the equipment, machinery and materials required for the implementation of the Projects and not produced in Brazil.

¹ United Nations, *Treaty Series*, vol. 956, p. 207.

(2) The list of the equipment, machinery and materials required will be agreed upon between the authorities concerned of the two Governments within the respective scope of those stipulated in 3 of the Annex I and in 3 of the Annex II.

(3) The provisions of Article IX of the Basic Agreement will apply to the equipment, machinery and materials referred to in sub-paragraphs (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, through JICA, to receive Brazilian researchers and research administrators engaged in the Projects for training and study tour in Japan through the normal procedure under the Technical Co-operation Plan of the Government of Japan.

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

5. The Government of the Federative Republic of Brazil, through EMBRAPA, 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 Projects, as respectively listed in 4 of the Annex I and in 4 of the Annex II;

(b) Land and building necessary for the implementation of the Projects, as respectively listed in 5 of the Annex I and 5 of the Annex II, 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 Projects other than those provided by the Government of Japan.

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

7. The EMBRAPA will designate a Director who is responsible for the administration and implementation of the Projects, and Japanese experts will provide guidance and advice on technical matters necessary for the implementation of the Projects.

8. For the successful implementation of the Projects, close relationship will be maintained between EMBRAPA, its Units, i.e., the Agricultural Research Center for the Cerrado Region (hereinafter referred to as "CPAC") and the National Vegetable Research Center (hereinafter referred to as "CNPH"), and Brazilian research institutions referred to in 1 (4) of the Annex I 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 Projects, Joint Committee I and Joint Committee II will be established respectively for Project I and Project II, each constituted by the members as listed in 6 of the Annex I and in 6 of the Annex II, and meet respectively at least once a year. Each Committee will formulate the details of the relevant Basic Plan referred to in paragraph 1 (4) of this Arrangement and of the

relevant annual operational work plan of Project I/Project II to submit them 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 the Note of the Government of the Federative Republic of Brazil expressing its agreement to the Note of the Government of Japan proposing this Arrangement and will remain in force until August 2, 1992. However, either Government may, at any time, give notice to the other Government of its intention to terminate this Arrangement, in which case it will terminate six months after such notice has been given.

ANNEX I

RESEARCH CO-OPERATION PROJECT FOR THE RESEARCH PROGRAM ON AGRICULTURAL PRODUCTION IN THE ACID "SAVANNAS" REGION OF CERRADO (PROJECT I)

1. *Basic Plan of Project I*

(1) Project I will be implemented in the fields of plant pathology, entomology, agronomy including utilization of biological techniques, soil-plant-water relationship and soil microbiology, agricultural meteorology, agricultural machinery, and farm management and economic analysis with a view to establishing the low input agricultural system and contributing to the plans of utilization of soil, climate and plant resources in the acid "savannas" region of Cerrado.

(2) Project I will consist of the following activities:

- a. Research work in the fields referred to in (1) above;
- b. Exchange of information, samples, materials and research reports necessary for the Project I;
- c. Development of research capabilities of the researchers of both countries in the fields referred to in (1) above;
- d. Publication of the research results, according to the principles to be agreed upon by the Joint Committee I;
- e. 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 co-operation 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 Projects.

(4) Other Co-operative Institutions:

- | | |
|--|---|
| a. Agricultural Research Enterprise of the State of Bahia | Unit of Research Execution of San Francisco |
| b. Agricultural Research Enterprise of the State of Mato Grosso | Varzea Grande Agricultural Experiment Station |
| c. Agricultural Research Enterprise of the State of Minas Gerais | Uberaba Agricultural Experiment Station |
| d. Agricultural Experiment Station of the Settlement Program in Alto Paranaíba (Minas Gerais). | |

2. *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. Agricultural machinery;
- f. Agricultural meteorology;
- g. Farm management and economic analysis;

h. Soil microbiology.

(3) Liaison Officer.

Notes:

(1) The experts will be dispatched to CPAC taking into account the progress of Project I. The researchers may conduct research activities at any other institutions referred to in 1 (4) of this Annex I when necessity arises.

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

(3) The experts may visit any research institutions located in the Cerrado region [other] than those referred to in 1 (4) of this Annex I to give technical advice and exchange information.

(4) Short-term experts in other related fields may be dispatched when necessity arises for the smooth implementation of Project I.

3. *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) Audio-visual aids and articles for office training and extension work;

(5) Books and other necessary printed matters;

(6) Other necessary minor equipment and materials.

4. *List of Brazilian Experts and Other Personnel*

(1) Leader — Chief 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.

5. *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 Project I.

6. *Composition of the Joint Committee I*

(1) Chairman: The Director of EMBRAPA referred to in 7 of this Arrangement.

(2) Japanese Side:

a. Leader referred to in 2 (1) of this Annex I;

b. Two other representatives of the Japanese experts;

c. Representative of JICA.

(3) Brazilian Side:

- a.* Chief of CPAC;
- b.* Associate Technical Chief of CPAC;
- c.* Associate Administrative Chief of CPAC;
- d.* Representative of the Board of Advisors for International Co-operation of EMBRAPA.

(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 Technical Co-operation Interministerial System;
- e.* Representatives of the Brazilian co-operative institutions referred to in 1 (4) of this Annex I.

ANNEX II

RESEARCH CO-OPERATION PROJECT FOR THE RESEARCH PROGRAM
ON VEGETABLE PRODUCTION (PROJECT II)1. *Basic Plan of the Project II*

(1) Project II will be implemented in CNPH for strengthening the research activities in the fields of plant breeding, plant pathology, plant nutrition, agricultural machinery, soil-plant-water relationship with a view to contributing to the improvement and the development of the vegetable cultivation technique in Brazil.

(2) Project II will consist of the following activities:

- a. Research work in the fields referred to in (1) above;
- b. Exchange of information, samples, materials and research reports necessary for the Project II;
- c. Development of research capabilities of the researchers of both countries in the fields referred to in (1) above;
- d. Publication of the research results, according to the principles agreed upon by the Joint Committee II;
- e. Other activities to be agreed upon between the authorities concerned of the two Governments.

2. *List of Japanese Experts*

(1) Leader;

(2) Researchers covering the following fields:

- a. Plant breeding;
- b. Plant pathology;
- c. Plant nutrition;
- d. Agricultural machinery;
- e. Soil-plant-water relationship.

(3) Liaison Officer.

Notes:

(1) The researchers in the fields of 2(2) *d* and *e* above will be dispatched only as experts on short-term assignment not exceeding twelve months.

(2) Short-term experts in other related fields may be dispatched when necessity arises for the smooth implementation of Project II.

3. *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) Audio-visual aids and articles for office training and extension work;

(5) Books and other necessary printed matters;

(6) Other necessary minor equipment and materials.

4. *List of Brazilian Experts and Other Personnel*

- (1) Leader — Chief of CNPH;
- (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.

5. *List of Land, Buildings and Other Facilities*

- (1) Officers 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 Project II.

6. *Composition of the Joint Committee II*

- (1) Chairman: The Director of EMBRAPA referred to in 7 of this Arrangement;
- (2) Japanese Side:
 - a. Leader referred to in 2(1) of this Annex II;
 - b. Two other representatives of the Japanese experts;
 - c. Representative of JICA.
- (3) Brazilian Side:
 - a. Chief of CNPH;
 - b. Associate Technical Chief of CNPH;
 - c. Associate Administrative Chief of CNPH;
 - d. Representative of the Board of Advisors for International Co-operation of EMBRAPA.
- (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 Technical Co-operation Interministerial System.

II

[TRANSLATION — TRADUCTION]

3 August 1987

Sir,

I have the honour to acknowledge receipt of your note of today's date, to which is annexed the new arrangement concerning agricultural research cooperation in Brazil and which reads as follows:

[*See note I*]

In reply, I have the further honour to inform you that the Government of the Federative Republic of Brazil agrees to the proposal made in your note and to confirm that your note and this note of reply are to be considered as constituting an Agreement between the two Governments, to enter into force on the date of this reply.

Accept, Sir, etc.

CARLOS ANTONIO BETTENCOURT BUENO
Ambassador Extraordinary and Plenipotentiary
of the Federative Republic of Brazil

His Excellency Mr. Tadashi Kuranari
Minister for Foreign Affairs of Japan

[*Arrangement as under note I*]

ARRANGEMENT ENTRE LE GOUVERNEMENT DU JAPON ET LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRATIVE DU BRÉSIL RELATIF À LA COOPÉRATION EN MATIÈRE DE RECHERCHE AGRICOLE AU BRÉSIL

Conformément aux dispositions de l'article II de l'Accord de base entre le Gouvernement du Japon et le Gouvernement de la République fédérative du Brésil relatif à la coopération technique, signé à Brasília le 22 septembre 1970¹ (ci-après dénommé « l'Accord de base »), les deux Gouvernements appliqueront les dispositions suivantes :

1. 1) Le Gouvernement du Japon et le Gouvernement de la République fédérative du Brésil coopéreront pour mettre en œuvre les projets de coopération Japon-Brésil dans le domaine de la recherche agricole (ci-après dénommé les « Projets ») afin d'élaborer les techniques de production agricole dans les régions de savanes acides du Cerrado et de production de légumes au Brésil.

2) Le Gouvernement de la République fédérative du Brésil désignera l'Entreprise brésilienne de recherche agricole (ci-après dénommée « EMBRAPA ») comme agent d'exécution pour la mise en œuvre des projets.

3) Les projets seront :

a) Le projet de coopération dans le domaine de la recherche relatif au programme de recherche sur la production agricole dans la région de savanes acides du Cerrado (ci-après dénommé « Projet I »); et

b) Le projet de coopération dans le domaine de la recherche relatif au programme de recherche sur la production légumière (ci-après dénommé « Projet II »).

4) Les projets seront mis en œuvre conformément aux plans de base des deux projets dont l'un est décrit au paragraphe 1 de l'annexe I et l'autre au paragraphe 1 de l'annexe II.

2. 1) Conformément aux lois et règlements en vigueur au Japon, le Gouvernement japonais prendra les mesures nécessaires, par l'intermédiaire de l'Agence japonaise de coopération internationale (ci-après dénommée « JICA »), qui est l'agent d'exécution de la coopération technique du Gouvernement japonais, pour fournir, à ses frais, les services des experts japonais énumérés respectivement au paragraphe 2 de l'annexe I et au paragraphe 2 de l'annexe II.

2) Quelques autres experts pourront également être détachés pour des missions de courte durée dans le cadre des procédures normales prévues par le Plan de coopération technique du Gouvernement japonais, si les deux Gouvernements le jugent nécessaire.

3) Les experts visés aux sous-paragraphes 1 et 2 du présent sous-paragraphe seront soumis aux dispositions du paragraphe 1 de l'article IV, du sous-paragraphe 1 iii et du paragraphe 2 de l'article V ainsi que des articles VI, VII et VIII de l'Accord de base.

3. 1) Conformément aux lois et règlements en vigueur au Japon, le Gouvernement japonais prendra les mesures nécessaires, par l'intermédiaire de la JICA, pour fournir, à ses propres frais, le matériel, les machines et les matériaux, non produits au Brésil, nécessaires à la mise en œuvre des projets.

¹ Nations Unies, *Recueil des Traités*, vol. 956, p. 207.