

◎食糧援助に関する日本国政府とモンゴル人民共和国政府との間の交換公文

(略称) モンゴルとの食糧援助取極

平成	三年	五月二十三日	ウランバートルで
平成	三年	五月二十三日	効力発生
平成	三年十一月	二十日	告示

(外務省告示第五九三号)

概要

- 1 援助の目的及び内容 千九百八十六年の食糧援助規約に関連して行われる小麦粉及びその輸送に必要な役務の供与
- 2 贈与の限度額 二億円
- 3 贈与の使用期限 平成四年三月三十一日まで
- 4 署名者  
日 本 側 清水武則在モンゴル臨時代理大使  
モンゴル側 バルジンニヤム・マンダルスレン通商産業省次官

(Japanese Note)

Ulaanbaatar, May 23, 1991

Sir,

I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Government of the Mongolian People's Republic concerning Japanese economic cooperation to be extended in connection with the Food Aid Convention, 1986, and to propose on behalf of the Government of Japan the following arrangements:

1. The Government of Japan will extend to the Government of the Mongolian People's Republic, in accordance with the relevant laws and regulations of Japan, a grant up to two hundred million yen (¥200,000,000) (hereinafter referred to as "the Grant").
2. The Grant will be made available during the period between the date of coming into force of the present arrangements and March 31, 1992, unless the period is extended by mutual agreement between the authorities concerned of the two Governments.
3. (1) The Grant will be used by the Government of the Mongolian People's Republic properly and exclusively for the purchase of the flour and services listed below:
  - (a) Chinese flour up to one hundred sixty seven million yen (¥167,000,000) F.O.B., and
  - (b) services up to thirty three million yen (¥33,000,000) necessary for the transportation of the flour referred to in sub-paragraph (a) above from the People's

Republic of China to the Mongolian People's Republic, and those for internal transportation therein.

(2) Notwithstanding the provisions of sub-paragraph (1) above, when the two Governments deem it appropriate, a part of the amount referred to in (b) of the said sub-paragraph may be used for the additional purchase of the flour and services necessary for the transportation thereof.

4. The Government of the Mongolian People's Republic or its designated authority will enter into contracts in Japanese yen with Japanese nationals for the purchase of the flour and services referred to in paragraph 3. Such contracts shall be verified by the Government of Japan to be eligible for the Grant. (The term Japanese nationals whenever used in the present arrangements means Japanese physical persons or Japanese juridical persons controlled by Japanese physical persons.)

5. (1) The Government of Japan will execute the Grant by making payments in Japanese yen to cover the obligations incurred by the Government of the Mongolian People's Republic or its designated authority under the contracts verified in accordance with the provisions of paragraph 4 (hereinafter referred to as "the Verified Contracts") to an account to be opened in the name of the Government of the Mongolian People's Republic in an authorized foreign exchange bank of Japan designated by the Government of the Mongolian People's Republic or its designated authority (hereinafter referred to as "the Bank").

(2) The payments referred to in sub-paragraph (1) above will be made when payment

requests are presented by the Bank to the Government of Japan under an authorization to pay issued by the Government of the Mongolian People's Republic or its designated authority.

(3) The sole purpose of the account referred to in sub-paragraph (1) above is to receive the payments in Japanese yen by the Government of Japan and to pay to the Japanese nationals who are parties to the Verified Contracts. The procedural details concerning the credit to and debit from the account will be agreed upon through consultation between the Bank and the Government of the Mongolian People's Republic or its designated authority.

6. (1) The Government of the Mongolian People's Republic will take necessary measures:

(a) to ensure prompt customs clearance and internal transportation in the Mongolian People's Republic of the flour purchased under the Grant;

(b) to exempt Japanese nationals from customs duties, internal taxes and other fiscal levies which may be imposed in the Mongolian People's Republic with respect to the supply of the flour and services under the Verified Contracts;

(c) to ensure that the flour purchased under the Grant will make effective contribution to the stabilization and development of the Mongolian economy; and

(d) to bear all the expenses, other than those to be borne by the Grant, necessary for the execution of the Grant including the transportation of the flour referred to in (a) of sub-paragraph (1) of paragraph 3.

(2) With regard to the shipping and marine insurance of products purchased under the Grant, the Government of the Mongolian

People's Republic will refrain from imposing any restrictions that may hinder fair and free competition among the shipping and marine insurance companies.

(3) The flour purchased under the Grant shall not be re-exported from the Mongolian People's Republic.

7. (1) The Government of the Mongolian People's Republic will deposit in Mongolian currency at least an amount equivalent to two-thirds of the yen disbursement paid with respect to the purchase of the flour referred to in (a) of sub-paragraph (1) of paragraph 3 in an account to be opened in its name in the State Bank of the Mongolian People's Republic. The deposit shall be made within the period of three years from the date of coming into force of the present arrangements, unless otherwise agreed between the authorities concerned of the two Governments.

(2) The currency thus deposited shall be utilized for economic and social development purposes, including food production, in the Mongolian People's Republic.

(3) The authorities concerned of the two Governments will consult with each other about the utilization of the currency deposited.

8. Further procedural details for the implementation of the present arrangements will be agreed upon through consultation between the authorities concerned of the two Governments.

9. The two Governments will consult with each other in respect of any matter that may arise from or in connection with the present arrangements.

I have further the honour to propose that

this Note and your Note in reply confirming on behalf of the Government of the Mongolian People's Republic the foregoing arrangements shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of your reply.

I avail myself of this opportunity to extend to you the assurance of my high consideration.

(Signed) Takenori Shimizu  
Charge d'Affaires ad interim  
of Japan  
to the Mongolian People's Republic

Mr. Baljiniyamin Mandalsuren  
Deputy Minister of  
Trade and Industry  
of the Mongolian People's Republic

(Mongolian Note)

Ulaanbaatar, May 23, 1991

Sir,

I have the honour to acknowledge the receipt of your Note of today's date, which reads as follows:

"(Japanese Note)"

I have further the honour to confirm on behalf of the Government of the Mongolian People's Republic the foregoing arrangements and to agree that your Note and this Note shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of this reply.

I avail myself of this opportunity to extend to you the assurance of my high consideration.

(Signed) Baljiniyamin Mandalsuren  
Deputy Minister of  
Trade and Industry  
of the Mongolian People's Republic

Mr. Takenori Shimizu  
Charge d'Affaires ad interim  
of Japan  
to the Mongolian People's Republic