

◎食糧増産援助に関する日本国政府とカンボディア政府との間の交換公文

(略称) カンボディアとの食糧増産援助取極

|    |    |        |        |
|----|----|--------|--------|
| 平成 | 四年 | 五月二十八日 | プノンペンで |
| 平成 | 四年 | 五月二十八日 | 効力発生   |
| 平成 | 五年 | 四月 八日  | 告示     |

(外務省告示第一三三七号)

概 要

- 1 援助の目的及び内容 食糧生産の増大に寄与するための農業物資及びその輸送に必要な役務の供与
- 2 贈与の限度額 五億円
- 3 贈与の使用期限 平成五年三月三十一日まで
- 4 署名者  
日 本 側 今川幸雄在カンボディア大使  
カンボディア側 ノロドム・シハヌーク国家元首兼カンボディア最高国民評議会議長

(Japanese Note)

Phnom Penh, May 28, 1992

Monseigneur,

I have the honour to refer to the recent discussions held between the representatives of the Government of Japan and of the Supreme National Council of Cambodia concerning Japanese economic cooperation to be extended with a view to strengthening friendly and cooperative relations between the two countries, and to propose on behalf of the Government of Japan the following arrangements:

1. For the purpose of contributing to the increase of food production in Cambodia, the Government of Japan will extend to the Supreme National Council of Cambodia, in accordance with the relevant laws and regulations of Japan, a grant up to five hundred million yen (¥500,000,000) (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, 1993, unless the period is extended by mutual agreement between the authorities concerned of the Government of Japan and the Supreme National Council of Cambodia.

3. (1) The Grant will be used by the Supreme National Council of Cambodia properly and exclusively for the purchase of the products of Japan and the services listed below:

(a) fertilizer, agricultural chemicals, agricultural machinery and equipment, and vehicles for transportation; and

(b) services necessary for the transportation of the products referred to in (a) above to ports in Cambodia and those for internal transportation therein.

(2) Notwithstanding the provisions of subparagraph (1) above, when the Government of Japan and the Supreme National Council of Cambodia deem it necessary, the Grant may be used for the purchase of the products of the kind mentioned in (a) of subparagraph (1) above, which are products of eligible source countries other than Japan.

4. The Supreme National Council of Cambodia or its designated authority will enter into contracts in Japanese yen with Japanese nationals for the purchase of the products 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 Supreme National Council of Cambodia 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 Supreme National Council of Cambodia in an authorized foreign exchange bank of Japan designated by the Supreme National Council of Cambodia 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 Supreme National Council of Cambodia 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 Supreme National Council of Cambodia or its designated authority.

6. (1) The Supreme National Council of Cambodia will take necessary measures:

(a) to ensure prompt unloading and customs clearance at ports of disembarkation in Cambodia and prompt internal transportation therein of the products purchased under the Grant;

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

(c) to ensure that the products purchased under the Grant will make effective contribution to the increase of food production and eventually to the stabilization and development of the Cambodian economy; and

(d) to bear all the expenses, other than those covered by the Grant, necessary for the execution of the Grant.

(2) With regard to the shipping and marine insurance of products purchased under the Grant, the Supreme National Council of Cambodia will refrain from imposing any restrictions that may hinder fair and free competition among the shipping and marine insurance companies.

(3) The products purchased under the Grant shall not be re-exported from Cambodia.

7. (1) The Supreme National Council of Cambodia will deposit in Cambodian currency at least an amount equivalent to two-thirds of the yen disbursement paid with respect to the purchase of the products referred to in (a) of sub-paragraph (1) of paragraph 3 in an account to be opened in its name in the Central Bank of Cambodia. The deposit shall be made within the period of four years from the date of coming into force of the present arrangements, unless otherwise agreed between the authorities concerned of the Government of Japan and the Supreme National Council of Cambodia.

(2) The currency thus deposited shall be utilized for the purposes of agricultural, forestry and fisheries development, including the increase of food production, in Cambodia.

(3) The authorities concerned of the Government of Japan and the Supreme National Council of Cambodia 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 Government of Japan and the Supreme National Council of Cambodia.

9. The Government of Japan and the Supreme National Council of Cambodia 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 Royal Highness' Note in reply confirming on behalf of the Supreme National Council of Cambodia the foregoing arrangements shall be regarded as constituting an agreement between the Government of Japan and the Supreme National Council of Cambodia, which will enter into force on the date of Your Royal Highness' reply.

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

(Signed) Yukio Imagawa  
Ambassador Extraordinary and  
Plenipotentiary of Japan  
to Cambodia

His Royal Highness  
Samdech Preah Norodom Sihanouk  
Head of State and President  
of Cambodia

(Cambodian Note)

Phnom Penh, May 28, 1992

Excellency,

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

"(Japanese Note)"

I have further the honour to confirm on behalf of the Supreme National Council of Cambodia the foregoing arrangements and to agree that Your Excellency's Note and this Note shall be regarded as constituting an agreement between the Government of Japan and the Supreme National Council of Cambodia, which will enter into force on the date of this reply.

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

(Signed) Samdech Preah Norodom Sihanouk  
Head of State and President  
of Cambodia

His Excellency  
Mr. Yukio Imagawa  
Ambassador Extraordinary and  
Plenipotentiary of Japan  
to Cambodia