

◎無償資金協力に関する日本国政府とマラウイ共和国政府との間の交換公文

(略称) マラウイとの贈与取極 (UNCTAD債務救済)

平成	六年	七月二十八日	リロンゲウエで
平成	六年	七月二十八日	効力発生
平成	七年	一月二十五日	告示

(外務省告示第四八号)

概要

1 援助の目的及び内容 貧困開発途上国の債務問題に関する昭和五十三年三月十一日付けの国際連合貿易開発会議第九回特別貿易開発理事會第三会期決議第百六十五号に留意し、マラウイの経済の発展と国民の福祉の向上に寄与するため、両政府の關係当局が合意する生産物及び役務を購入するための資金を贈与すること。

2 贈与額 二億四千三十万七千円

3 署名者

日 本 側 高瀬康夫在マラウイ臨時代理大使
マラウイ側 アレク・バンダ大蔵大臣

(Japanese Note)

Lilongwe, July 28, 1994

Honourable Minister,

I have the honour to refer to the resolution 165 dated March 11, 1978 of the Third Part of the Ninth Special Session of the Trade and Development Board of the United Nations Conference on Trade and Development regarding debt and development problems of developing countries and to the recent discussions held between the representatives of the Government of Japan and of the Government of the Republic of Malawi concerning Japanese economic cooperation to be extended to the Republic of Malawi 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. Noting the debts of the Government of the Republic of Malawi under the loan agreements concluded in accordance with the notes exchanged between the Government of Japan and the Government of the Republic of Malawi on the dates enumerated in the list attached to this Note, the Government of Japan will extend to the Government of the Republic of Malawi, in accordance with the relevant laws and regulations of Japan, a grant of two hundred forty million three hundred and seven thousand yen (¥240,307,000) (hereinafter referred to as "the Grant") for the purpose of contributing to the development of the economy of the Republic of Malawi and the enhancement of the welfare of its people.

2. (1) The Grant and its accrued interest will be used by the Government of the Republic of Malawi properly and exclusively for the purchase of products enumerated in a list to be mutually agreed upon between the authorities concerned of the two Governments and services incidental to such products, provided that those products are produced in eligible source countries.

(2) The list mentioned in sub-paragraph (1) above will be subject to modifications which may be agreed upon between the authorities concerned of the two Governments.

(3) The scope of the eligible source countries mentioned in sub-paragraph (1) above will be agreed upon between the authorities concerned of the two Governments.

3. (1) The Government of the Republic of Malawi will

open a yen ordinary deposit account at an authorized foreign exchange bank of Japan in the name of the Government of the Republic of Malawi (hereinafter referred to as "the Account") within fourteen days after the date of coming into force of the present arrangements and will notify in writing the Government of Japan of the completion of the procedure for opening the Account within seven days after the date of the opening of the Account.

(2) The sole purpose of the Account is to receive the payment in Japanese yen by the Government of Japan referred to in paragraph 4 as well as to make payments necessary for the purchase of the products and services referred to in sub-paragraph (1) of paragraph 2, and such other payment as may be agreed upon by the authorities concerned of the two Governments.

4. The Government of Japan will execute the Grant by making payment in Japanese yen of the amount referred to in paragraph 1 to the Account during the period between the date of receipt of the written notification referred to in sub-paragraph (1) of paragraph 3 and March 31, 1995, unless the period is extended by mutual agreement between the authorities concerned of the two Governments.

5. (1) The Government of the Republic of Malawi will take necessary measures:

(a) to use the Grant and its accrued interest within a reasonable period after the Grant is executed;

(b) to ensure that customs duties, internal taxes and other fiscal levies which may be imposed in the Republic of Malawi with respect to the purchase of the products and services referred to in sub-paragraph (1) of paragraph 2 shall not be borne by the Grant;

(c) to ensure that the products purchased under the Grant be maintained and used properly and effectively for the development of the economy of the Republic of Malawi and the enhancement of the welfare of its people; and

(d) to submit to the Government of Japan a report prepared in a written form acceptable to the Government of Japan on the transactions on the Account together with copies of contracts, vouchers and other documents concerning the relevant transactions without delay when the Grant and its accrued interest are completely drawn in accordance with the provisions of sub-paragraph (2) of paragraph 3 or upon request by

the Government of Japan.

(2) The products purchased under the Grant shall not be re-exported from the Republic of Malawi.

6. 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 Honourable Minister's Note in reply confirming on behalf of the Government of the Republic of Malawi the foregoing arrangements shall be regarded as constituting an agreement between the two Governments, which will enter into force on the date of Honourable Minister's reply.

I avail myself of this opportunity to extend to Honourable Minister the assurance of my highest consideration.

(Signed) Yasuo Takase
Chargé d'Affaires, a.i. of Japan
to the Republic of Malawi

The Honourable
Mr. Aleke Banda
Minister of Finance
of the Republic of Malawi

List

1. February 24, 1978
2. October 31, 1980
3. June 25, 1986
4. July 2, 1987

(Malawian Note)

Lilongwe, July 28, 1994

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 Republic of Malawi 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) Aleke Banda
Minister of Finance
of the Republic of Malawi

Mr. Yasuo Takase
Chargé d'Affaires, a.i. of Japan
to the Republic of Malawi