

◎食糧増産援助に関する日本国政府とアゼルバイジャン共和国政府との間の交換公文

(略称) アゼルバイジャンとの食糧増産援助取極

平成	十三年	二月	九日	バクーで
平成	十三年	二月	九日	効力発生
平成	十三年	十一月	九日	告示

(外務省告示第三九四号)

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 四億五千万円
 - 3 贈与の使用期限 平成十四年二月八日まで
 - 4 署名者
- | | | | |
|----------|---|------------|-----------------|
| 日 | 本 | 側 | 廣瀬徹也在アゼルバイジャン大使 |
| アゼルバイジャン | 側 | イルシャド・アリエフ | 農業大臣 |

(Japanese Note)

Baku, February 9, 2001

Excellency,

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 Republic of Azerbaijan 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 the Republic of Azerbaijan, the Government of Japan will extend to the Government of the Republic of Azerbaijan, in accordance with the relevant laws and regulations of Japan, a grant up to four hundred and fifty million yen (¥450,000,000) (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 February 8, 2002, 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 Republic of Azerbaijan properly and exclusively for the purchase of the products of Japan and the services listed below:
 - (a) agricultural machinery and equipment, and services relating to the procurement thereof; and
 - (b) services necessary for the transportation of the products referred to in (a) above to the Republic of Azerbaijan and those for internal transportation therein.
- (2) Notwithstanding the provisions of sub-paragraph (1) above, when the two Governments deem it necessary, the Grant may be used for the purchase of the products of the kind mentioned in (a) of sub-paragraph (1) above, which are products of eligible source countries other than Japan.
4. The Government of the Republic of Azerbaijan 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 Government of the Republic of Azerbaijan 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 Republic of Azerbaijan in a bank of Japan designated by the Government of the Republic of Azerbaijan 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 Republic of Azerbaijan 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 Republic of Azerbaijan or its designated authority.

6. (1) The Government of the Republic of Azerbaijan will take necessary measures:

- (a) to ensure prompt customs clearance and internal transportation in the Republic of Azerbaijan 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 the Republic of Azerbaijan 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 Azerbaijan economy; and

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(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 the products purchased under the Grant, the Government of the Republic of Azerbaijan 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 the Republic of Azerbaijan.

7. (1) The Government of the Republic of Azerbaijan will deposit in Azerbaijan currency an amount equivalent to 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 International Bank of Azerbaijan Republic. 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 two Governments.

(2) The currency thus deposited shall be utilized for the purposes of economic and social development, including agricultural, forestry and/or fisheries development, and the increase of food production in the Republic of Azerbaijan.

(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 Excellency's Note in reply confirming on behalf of the Government of the Republic of Azerbaijan the foregoing arrangements 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 extend to Your Excellency the assurance of my highest consideration.

(Signed) Tetsuya Hirose
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of Azerbaijan

His Excellency
Mr. Irshad Aliyev
Minister of Agriculture
of the Republic of Azerbaijan

(Azerbaijan Note)

Baku, February 9, 2001

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 Government of the Republic of Azerbaijan the foregoing arrangements and to agree that Your Excellency's 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 Your Excellency the assurance of my highest consideration.

(Signed) Irshad Aliyev
Minister of Agriculture
of the Republic of Azerbaijan

His Excellency
Mr. Tetsuya Hirose
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of Azerbaijan