◎JICA海外協力隊の派遣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JICA海外協力隊派遣取極

二〇一九年 四月三〇日 効力発生二〇一九年 四月三〇日 リロングウェで

二〇二〇年 七月二七日 告示

(外務省告示第二九四号)

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(JICA海外協力隊の派遣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)

(日本側書簡)

(訳文)

ともに、これらの代表者の間で到達した次の了解を日本国政府に代わって確認する光栄を有します。 とについて、日本国政府の代表者とマラウイ共和国政府の代表者との間で行われた最近の討議に言及すると れるJICA海外協力隊の事業(以下「事業」という。)に基づき協力隊員をマラウイ共和国に派遣するこ 発及び社会開発に寄与するため、独立行政法人国際協力機構(以下「JICA」という。)によって実施さ 十一年七月二日付けの日本国政府とマラウイ共和国政府との間の交換公文に関し、 書簡をもって啓上いたします。本使は、日本青年海外協力隊のマラウイ共和国への派遣に関する千九百七 マラウイ共和国の経済開

の マラウイ共和国政府の権限のある当局は財務・経済計画・開発省である。 ICAによってマラウイ共和国に派遣されることとなる。日本国政府の権限のある当局は外務省であり、 .権限のある当局の間で合意する別個の派遣計画により、日本国において施行されている法令に従い、J JICA海外協力隊員(以下「協力隊員」という。)は、マラウイ共和国政府の要請に基づき、両政府

械、 イ共和国における生活手当はJICAによって負担され、また、協力隊員の任務の遂行に必要な設備、 予算措置がとられることを条件として、協力隊員の日本国とマラウイ共和国との間の渡航費及びマラウ 自動車及び資材についてもJICAによって使用に供される 機

(Japanese Note)

Lilongwe, April 30, 2019

Honorable Minister,

dispatch of volunteers to the Republic of Malawi under the Japan Overseas Cooperation Volunteers Program (hereinafter referred to as the "Program") which will be carried out by Government of Japan and the Government of the Republic of Malawi dated July 2, 1971, concerning the dispatch of Japan Overseas Co-operation Volunteers to the Republic of Malawi, referred to as "JICA") with a view to contributing to the economic and social development of the Republic of Malawi between the representatives of the Government of Japan and of the Government of the Republic of Malawi concerning the I have the honour to refer to the recent discussions held following understanding reached between them: and to confirm on behalf of the Government of Japan the the Japan International Cooperation Agency (hereinafter With reference to the Exchange of Letters between the

the two Governments. The competent authority of the Government of Japan is the Ministry of Foreign Affairs, are the competent authority of the Government of the Republic of Malawi is the Ministry of Finance, Economic Planning are separately agreed upon between the competent authorities of the two Governments. The competent authority of the referred to as "JOCV") will be dispatched to the Republic of Malawi by JICA in accordance with the laws and regulations in force in Japan, according to schedules to At the request of the Government of the Republic of Malawi, Japan Overseas Cooperation Volunteers (hereinafter Development. At the request of the Government of the Republic of and and

2. Subject to budgetary appropriations, the cost of international travel between Japan and the Republic of Malawi and living allowances in the Republic of Malawi for performance of their duties will be also made available by vehicles and materials as may be necessary for the JOCV will be borne by JICA, and equipment, machinery, motor

宜除特に協 の及権対力 付び、す隊 与便免る員

- 3 用されないことを確保する 備 マラウイ共和国政府は、事業の結果としてマラウイ国民が取得する技術及び知識並びに供与される設 機械、自動車及び資材がマラウイ共和国の経済開発及び社会開発に寄与すること並びに軍事目的に使
- マラウイ共和国政府は、協力隊員に対して次の特権、 免除及び便宜を与える
- (1) 徴金並びに輸入許可証及び為替証明書の取得要件の免除 2に規定する設備、 機械、 自動車及び資材の輸入に関する領事手数料、租税(関税を含む。)及び課
- (2) 金の免除 2に規定する設備、 機械、 自動車及び資材の現地購入に関する租税(付加価値税を含む。)及び課徴
- (3) び課徴金並びに輸入許可証及び為替証明書の取得要件の免除 協力隊員の携帯荷物、 身回品、家財及び消費財の輸入に関する領事手数料、 租税(関税を含む。)及
- (4) 税を含む。)及び課徴金の免除 国外から送金される2に規定する生活手当に対して又は当該生活手当に関連して課される租税(所得
- (5) 必要な医療施設が確保された医療を受ける便宜の提供
- (6) の基本的家具付住居施設の提供 マラウイ共和国政府によって与えられる任務を遂行するために協力隊員が所在する場所における無料
- (7) 協力隊員の任務の遂行に必要な無線通信機の設置及び使用の許可
- (8) 協力隊員の任務の遂行に必要な全ての政府機関の協力を確保するための身分証明書の発給

- 3. The Government of the Republic of Malawi shall ensure that the techniques and knowledge acquired by the Malawian contribute to the economic and social development of the Republic of Malawi, and are not utilized for military nationals as well as the equipment, machinery, purposes vehicles and materials provided as a result of the Program
- 4. The Government of the Republic of Malawi shall accord ${\tt JOCV}$ the following privileges, exemptions and benefits:
- customs duties and fiscal charges, as well as from the requirements of obtaining import license and certificate of foreign exchange coverage, in respect of the importation of the equipment, machinery, motor vehicles and materials mentioned in paragraph 2; exemption from consular fees, taxes including
- equipment, machinery, motor vehicles and materials (2) exemption from taxes including value added tax and fiscal charges in respect of the local purchase of the mentioned in paragraph 2;
- requirements of obtaining import license and certificate foreign exchange coverage, in respect of the importation their luggage, personal effects, household effects and customs duties and fiscal charges, as well as from the exemption from consular fees, taxes including Of of
- fiscal charges imposed on or in connection with living allowances remitted to them from abroad mentioned in (4) exemption from taxes including income tax and 2;
- care with necessary medical offer of the convenience for receiving medical facilities ensured;
- Malawi; (6) Offer of the free housing with basic furnishings at places where they are to perform their duties to be assigned to them by the Government of the Republic of
- sets necessary for the performance of the duties permission to install and use radio-communication
- cooperation of all governmental organizations necessary for the performance of the duties of JOCV; issuance of identification cards to secure the

- を含む。)及び課徴金の免除() 国外から送金される給与及び手当に対して又は当該給与及び手当に関連して課される租税(所得税)
- む。) 及び課徴金の免除 つきー台及びJICA調整員の一家族につき一台の自動車の現地購入に関する租税(付加価値税を含っき一台及びJICA調整員の一家族につき一台の自動車の現地購入に関する租税(付加価値税を含む。) 及び課徴金の免除
- (d) (a)及び(c)に規定する自動車の登録料の免除
- (e) 自動車運転免許証の取得のための便宜の提供

- (9) permission to enter, leave and sojourn in the Republic of Malawi for the duration of their assignment therein, offer of the convenience for procedures of alien registration requirements, and exemption from consular fees;
- (10) offer of the convenience for acquisition of car driving license for JOCV who need to drive a car for the performance of their duties; and
- $\left(11\right)$ other measures necessary for the performance of the duties of JOCV.
- 5. (1) The Government of the Republic of Malawi shall accept resident co-ordinators to be dispatched from Japan who perform the duties to be assigned to them by JICA in the Republic of Malawi (hereinafter referred to as the "JICA Co-ordinators") relative to the activities of the Program.
- (2) The Government of the Republic of Malawi shall accord the JICA Co-ordinators and members of their families the following privileges, exemptions and benefits:
- (a) exemption from consular fees, taxes including customs duties and fiscal charges, as well as from the requirements of obtaining import license and certificate of foreign exchange coverage, in respect of the importation of their luggage, personal effects, household effects, consumer goods and one motor vehicle per JICA Co-ordinator and per family of the JICA Co-ordinator;
- (b) exemption from taxes including income taxes and fiscal charges imposed on or in connection with salaries and any allowances remitted to them from abroad;
- (c) exemption from taxes including value added tax and fiscal charges in respect of the local purchase of one motor vehicle per JICA Co-ordinator and per family of the JICA Co-ordinator who do not import any motor vehicle into the Republic of Malawi;
- (d) exemption from the registration fee of the motor vehicles mentioned in (a) and (c);
- (e) offer of the convenience for acquisition of car driving license;

- (f) JICA調整員の任務の遂行に必要な無線通信機の設置及び使用の許可
- (g) 出入国手続地点を越えて入るための特別通行証の発給 JICA調整員の任務の遂行を容易にするための身分証明書及び協力隊員を送迎するために空港に
- (h) 対する許可、 JICA調整員の任期中、マラウイ共和国に入国し、 外国人登録要件手続のための便宜の提供並びに領事手数料の免除 同国から出国し、及び同国に滞在することに
- JICA調整員の任務の遂行に必要な他の措置
- (3) 当該租税 特権を受ける権利を有しない個人又は団体に売却され、 ②に規定する自動車が、その後マラウイ共和国内において、 (関税を含む。) が課される 又は譲渡される場合には、当該自動車に対して 租税(関税を含む。)の免除又は同様の
- 6 いて同様の任務を遂行しているいかなる第三国又は国際機関のボランティア、調整員及びその家族の構成 員に与えられているものよりも不利でない特権、免除及び便宜を与える。 マラウイ共和国政府は、 協力隊員、JICA調整員及びその家族の構成員に対し、マラウイ共和国にお
- 安全を確保するために必要な措置をとる。 マラウイ共和国政府は、マラウイ共和国に滞在中の協力隊員、JICA調整員及びその家族の構成員の
- でない。 該請求が当該協力隊員の重大な過失又は故意から生じたことについて両政府が合意する場合は、 遂行に関連して当該協力隊員に対する請求が生じた場合には、当該請求について責任を負う。ただし、当 マラウイ共和国政府は、協力隊員の任務の遂行に起因し、当該任務の遂行中に発生し、 又は当該任務の この限り

- performance of their duties; and use radio-communication sets necessary for the permission to the JICA Co-ordinators to install
- ordinators to facilitate the performance of their passport control point to receive and send off JOCV; duties and special passes to enter airports beyond issuance of identification cards to the JICA Co-
- exemption from consular fees; and Republic of Malawi for the duration of their assignment therein, offer of the convenience for procedures of alien registration requirements, and permission to enter, leave and sojourn in the
- ordinators other measures necessary to the JICA Cofor the performance 0 H their duties

(1)

- shall be subject to payment of taxes including customs duties if they are subsequently sold or transferred within the Republic of Malawi to individuals or organizations not privileges. entitled to exemption from such taxes or similar The motor vehicles mentioned in sub-paragraph 2
- country or of any international organization performing similar mission in the Republic of Malawi. 6. The Government of the Republic of Malawi shall accord JOCV, the JICA Co-ordinators and members of their families such privileges, exemptions and benefits as are no less ordinators and members of their families of any third favorable than those accorded to the volunteers, the co-
- 7.. The Government of the Republic of Malawi shall take necessary measures to ensure security of JOCV, the JICA Coordinators and members of their families, staying in the Republic of Malawi.
- Governments agree that such claims arise from gross negligence or willful misconduct on the part of JOCV. claims, if any arises, against JOCV resulting from, occurring in the course of, or otherwise connected with, the performance of their duties, except when the two The Government of the Republic of Malawi shall bear

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両政府は、マラウイ共和国における事業を成功裏に実施するため随時協議する。

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他方の政府に対しこの了解を終了させる意思を六箇月の予告をもって書面により通告することにより終了 させることができる。 前記の了解は、両政府間の相互の書面による合意により修正することができ、また、いずれかの政府が

は、この了解によって代替される。 千九百七十一年七月二日付けの日本国政府とマラウイ共和国政府との間の交換公文に述べられた了解

間の合意を構成し、その合意が閣下の返簡の日付の日に効力を生ずるものとすることを提案する光栄を有し 本使は、更に、この書簡及び前記の了解をマラウイ共和国政府に代わって確認される閣下の返簡が両政府

本使は、以上を申し進めるに際し、ここに閣下に向かって重ねて敬意を表します。 二千十九年四月三十日にリロングウェで

マラウイ共和国駐在

日本国特命全権大使 柳沢香枝

マラウイ共和国財務・経済計画・開発大臣

ゴダール・エドワード・ゴンドウェ閣下

9. The two Governments shall hold consultations from time to time for the successful implementation of the Program in the Republic of Malawi.

terminated by either Government by giving to the other six months' written advance notice of its intention to 10. The understanding set out above may be amended mutual written agreement of the two Governments and terminate the understanding. Λq

11. The understanding contained in the letters exchanged between the Government of Japan and the Government of the Republic of Malawi on July 2, 1971 is superseded by the present understanding.

I have further the honour to propose that this Note and Your Honorable Minister's Note in reply confirming on behalf of the Government of the Republic of Malawi the between the two Governments, which shall enter into force on the date of Your Honorable Minister's Note in reply. foregoing understanding shall constitute an agreement the date of Your Honorable Minister's Note in reply.

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

(Signed) igned) Kae Yanagisawa Ambassador Extraordinary and Plenipotentiary of Japan to the Republic of Malawi

Minister of Finance, Economic Planning and Development of the Republic of Malawi Honorable Goodall Edward Gondwe

#CC

(マラウイ側書簡

(訳文)

します。

(日本側書簡)

学を有します。
一本大臣は、更に、前記の了解をマラウイ共和国政府に代わって確認するとともに、閣下の書簡及びこの返 を本大臣は、更に、前記の了解をマラウイ共和国政府に代わって確認するとともに、閣下の書簡及びこの返

二千十九年四月三十日にリロングウェで本大臣は、以上を申し進めるに際し、ここに重ねて閣下に向かって敬意を表します。

マラウイ共和国財務・経済計画・開発大臣

ゴダール・エドワード・ゴンドウェ

マラウイ共和国駐在

日本国特命全権大使 柳沢香枝閣下

(Malawian Note)

Lilongwe, April 30, 2019

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 Malawi the foregoing understanding and to agree that Your Excellency's Note and this Note in reply shall constitute an agreement between the two Governments, which shall enter into force on the date of this Note in reply.

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

(signed) Goodall Edward Gondwe Minister of Finance, Economic Planning and Development of the Republic of Malawi

Her Excellency
Ms. Kae Yanagisawa
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of Malawi

ものである。 この取極は、マラウイとの間で、JICA海外協力隊を派遣するための基本的枠組みを定める(参考)