

付 属 資 料

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1. 討議議事録 (R / D)

RECORD OF DISCUSSIONS
BETWEEN JAPANESE IMPLEMENTATION STUDY TEAM
AND AUTHORITIES CONCERNED OF THE GOVERNMENT OF
THE REPUBLIC OF THE PHILIPPINES
ON JAPANESE TECHNICAL COOPERATION
FOR THE CAPACITY BUILDING PROJECT FOR ENVIRONMENTAL MANAGEMENT
IN MINING

The Japanese Implementation Study Team organized by Japan International Cooperation Agency and headed by Mr. Norinobu Hayashi (hereinafter referred to as "the Team"), visited the Republic of the Philippines from May 23, 1999 to June 5, 1999 for the purpose of working out the details of the technical cooperation program concerning the Capacity Building Project for Environmental Management in Mining.

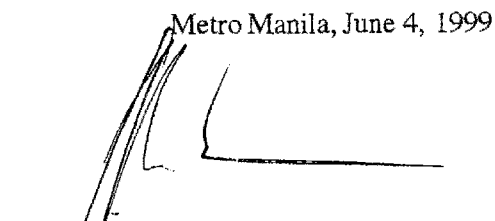
During its stay, the Team exchanged views and had a series of discussions with the Philippine authorities concerned on desirable measures to be taken by both Governments for successful implementation of the above-mentioned Project.

As a result of the discussions, the Team and the Philippine authorities concerned agreed to recommend to their respective Governments the matters referred to in the document attached hereto.

Metro Manila, June 4, 1999



Norinobu Hayashi
Leader
Implementation Study Team
Japan International Cooperation Agency
Japan



Antonio H. Cerilles
Secretary
Department of Environment and Natural
Resources
The Republic of the Philippines



Horacio C. Ramos
Director
Mines and Geosciences Bureau
Department of Environment and Natural
Resources
The Republic of the Philippines

ATTACHED DOCUMENT

I. COOPERATION BETWEEN BOTH GOVERNMENTS

1. The Government of the Republic of the Philippines will implement the Capacity Building Project for Environmental Management in Mining (hereinafter referred to as "the Project") in cooperation with the Government of Japan.
2. The Project will be implemented in accordance with the Master Plan which is given in Annex I.

II. MEASURES TO BE TAKEN BY THE GOVERNMENT OF JAPAN

In accordance with the laws and regulations in force in Japan, the Government of Japan will take, at its own expense, the following measures through the Japan International Cooperation Agency (hereinafter referred to as "JICA") according to the normal procedures under the technical cooperation scheme of Japan of the Colombo Plan for Cooperative Economic and Social Development in Asia and the Pacific (hereinafter referred to as "the Colombo Plan").

1. DISPATCH OF JAPANESE EXPERTS

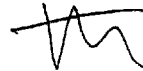
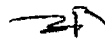
The Government of Japan will provide services of the Japanese experts as listed in Annex II.

2. PROVISION OF MACHINERY AND EQUIPMENT

The Government of Japan will provide such machinery, equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project as listed in Annex III. The Equipment will become the property of the Government of the Republic of the Philippines upon being delivered C.I.F. to the Philippine authorities concerned at the ports and/or airports of disembarkation.

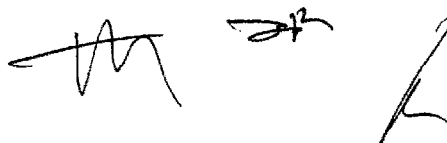
3. TRAINING OF PHILIPPINE PERSONNEL IN JAPAN

The Government of Japan will receive Philippine personnel connected with the Project for technical training in Japan.



III. MEASURES TO BE TAKEN BY THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES

1. The Government of the Republic of the Philippines will take necessary measures to ensure self-reliant operation of the Project during and after the period of Japanese technical cooperation, through the full and active involvement of all related authorities, beneficiary groups and institutions in the Project.
2. The Government of the Republic of the Philippines will ensure that the technologies and knowledge acquired by the Philippine nationals as a result of Japanese technical cooperation will contribute to the environmentally sustainable economic and social development of the Republic of the Philippines.
3. The Government of the Republic of the Philippines will grant, in the Republic of the Philippines privileges, exemptions and benefits to the Japanese experts referred to in II-1 above and their families, which are no less favorable than those accorded to experts of third countries working in the Republic of the Philippines under the Colombo Plan Technical cooperation Scheme.
4. The Government of the Republic of the Philippines will ensure that the Equipment referred to in II-2 above will be utilized effectively for the implementation of the Project in consultation with the Japanese experts referred to in Annex II.
5. The Government of the Republic of the Philippines will take necessary measures to ensure that the knowledge and experience acquired by the Philippine personnel through technical training in Japan will be utilized effectively in the implementation of the Project.



6. In accordance with the laws and regulations in force in the Republic of the Philippines, the Government of the Republic of the Philippines will take necessary measures to provide at its own expense for the Project:

- (1) Services of the Philippine counterpart personnel and administrative personnel as listed in Annex IV;
- (2) Land, buildings and facilities as listed in Annex V;
- (3) Supply or replacement of machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than the Equipment provided through JICA under II-2 above;
- (4) Means of transport and travel allowances for the Japanese experts for official travel within the Republic of the Philippines ; and
- (5) Suitably furnished accommodations for the Japanese experts and their families.

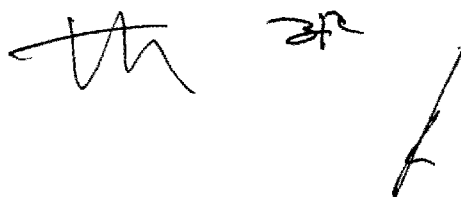
7. In accordance with the laws and regulations in force in the Republic of the Philippines, the Government of the Republic of the Philippines will take necessary measures to meet:

- (1) Expenses necessary for transportation within the Republic of the Philippines of the Equipment referred to in II-2 above as well as for the installation, operation and maintenance thereof;
- (2) Customs duties, internal taxes and any other charges imposed in the Republic of the Philippines on the Equipment referred to in II-2 above; and
- (3) Running expenses necessary for the implementation of the Project.

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IV. ADMINISTRATION OF THE PROJECT

1. The Director of Mines and Geosciences Bureau (hereinafter referred to as "MGB"), as the Project Director, will bear overall responsibility for the administration and implementation of the Project.
2. The Assistant Director of MGB, as the Project Manager, will be responsible for the managerial and technical matters of the Project.
3. The Japanese Chief Advisor will provide necessary recommendations and advice to the Project Director and the Project Manager on any matters pertaining to the implementation of the Project.
4. The Japanese experts will provide necessary technical guidance and advice to the Philippine counterpart personnel on technical matters pertaining to the implementation of the Project.
5. For the effective and successful implementation of technical cooperation for the Project, a Joint Coordinating Committee will be established whose functions and composition are described in Annex VI.

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V. JOINT EVALUATION

Evaluation of the Project will be conducted jointly by the two Governments through JICA and the Philippine authorities concerned at the middle and during the last six months of the cooperation term in order to examine the level of achievement.

VI. CLAIMS AGAINST JAPANESE EXPERTS

The Government of the Republic of the Philippines shall bear claims, if any arises, against the Japanese experts engaged in technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Republic of the Philippines except for those arising from the willful misconduct or gross negligence of the Japanese experts.

VII. MUTUAL CONSULTATION

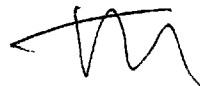
There will be mutual consultation between the two Governments on any major issues arising from, or in connection with, this Attached Document.

VIII. MEASURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE PROJECT

For the purpose of promoting support for the Project among the people of the Republic of the Philippines, the Government of the Republic of the Philippines will take appropriate measures to make the Project widely known to the people of the Republic of the Philippines.

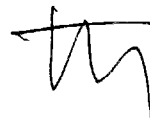
IX. TERM OF COOPERATION

The duration of technical cooperation for the Project under this Attached Document will be three (3) years from July 1, 1999.



LIST OF ANNEXES

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| ANNEX I | MASTER PLAN |
| ANNEX II | LIST OF JAPANESE EXPERTS |
| ANNEX III | LIST OF MACHINERY AND EQUIPMENT |
| ANNEX IV | LIST OF THE PHILIPPINE COUNTERPART AND ADMINISTRATIVE
PERSONNEL |
| ANNEX V | LIST OF LAND , BUILDINGS AND FACILITIES |
| ANNEX VI | JOINT COORDINATING COMMITTEE |



ANNEX I MASTER PLAN

1. Overall goal

The capacity of MGB in mine environmental management in the fields of water and soil pollution caused by mining activities will be enhanced.

2. Project purpose

The staff necessary for mine environmental management in the fields of water and soil pollution caused by mining activities will be fostered at MGB.

3. Outputs of the Project

- 0) The management system of the Project will be established.
- 1) The operation and maintenance management of the machinery and equipment used for chemical analysis, measurements and experiments will be undertaken by the technical staff of MGB.
- 2) The MGB's functions of mine environmental monitoring in the fields of water and soil pollution will be upgraded and strengthened.
- 3) The MGB's functions of evaluation for the environmental management technologies in the fields of water and soil pollution will be strengthened.
- 4) The MGB's functions of evaluation on the environmental impact assessment reports for mining projects will be strengthened.
- 5) The MGB's functions of staff training in the fields of mine environmental management will be strengthened.

4. Activities of the Project

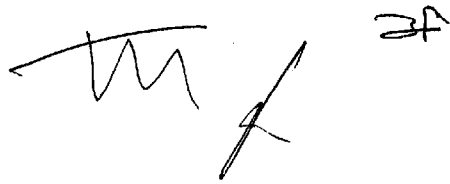
Necessary activities to achieve the above-mentioned outputs will be conducted.

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ANNEX II LIST OF JAPANESE EXPERTS

1. Chief Advisor
2. Coordinator
3. Mine Environmental Monitoring
4. Environmental Chemical Analysis
5. Mine Environmental Management

Note: Other experts in the specific fields of technology may be dispatched, if necessary.

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ANNEX III LIST OF MACHINERY AND EQUIPMENT

1. Equipment, machinery ,tools and materials for environmental test, sampling and analysis.
2. Other equipment, machinery and materials regarded for effective implementation of the Project by both sides.

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ANNEX IV LIST OF PHILIPPINES COUNTERPART AND ADMINISTRATIVE
PERSONNEL

1. Counterpart personnel

- (1) Project Director
- (2) Project Manager
- (3) Technical Counterparts

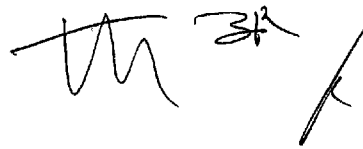
2. Administrative personnel

- (1) Administrative Staff
- (2) Technical Supporting Staff
- (3) Secretaries
- (4) Drivers
- (5) General Laborers
- (6) Other Necessary Supporting Staff for the smooth implementation of the Project.

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ANNEX V LIST OF LAND, BUILDINGS AND FACILITIES

1. Office space and necessary facilities for the Japanese experts .
2. Laboratories, lecture rooms and meeting rooms necessary for the transfer of the technology.
3. Facilities and space necessary for the installation and operation of the machinery, equipment and materials to be provided by the Government of Japan.
4. Other facilities mutually agreed to be necessary for the implementation of the Project.

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ANNEX VI JOINT COORDINATING COMMITTEE

1. Functions

The Joint Coordinating Committee will be held at least once a year and whenever a need arises. Its functions are as follows:

- (1) To ensure on the Annual Plan of Operations (APO) of the Project in line with the Plan of Operations (PO) and the Tentative Schedule of Implementation (TSI) formulated under the framework of this Record of Discussions;
- (2) To coordinate necessary actions to be taken by both sides;
- (3) To review the overall progress of the Project as well as the achievement of the APO; and
- (4) To exchange views on major issues arising from or in connection with the Project.

2. Composition

(1) Chairperson:

Undersecretary for International Commitment and Local Government Affairs
DENR

(2) Committee Members:

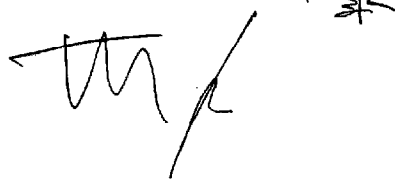
(Philippines Side)

- (a) Representatives from National Economic and Development Authority
- (b) Project Director
- (c) Project Manager
- (d) Representatives from Environmental Management Bureau
- (e) Other personnel concerned with the Project decided by the chairman

(Japanese Side)

- (a) Chief Advisor
- (b) Coordinator
- (c) Other Japanese Experts designated by the Chief Advisor
- (d) Representative(s) of JICA Office in the Republic of the Philippines
- (e) Other personnel concerned to be designated and/or dispatched by JICA, if necessary.

Note: Official(s) of the Embassy of Japan in the Republic of the Philippines may attend the Joint Coordinating Committee meeting as observer(s).

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