

第 II 部 附属資料

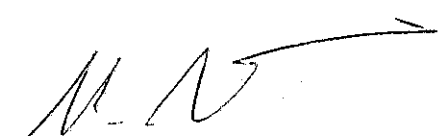
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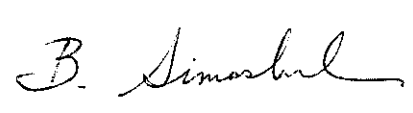
SCOPE OF WORK
FOR
THE CAPACITY BUILDING PROGRAM
ON
THE IMPLEMENTATION OF THE WTO AGREEMENTS
IN
THE KINGDOM OF THAILAND

AGREED UPON BETWEEN
DEPARTMENT OF BUSINESS ECONOMICS,
MINISTRY OF COMMERCE
AND
JAPAN INTERNATIONAL COOPERATION AGENCY

Bangkok, July 2 , 2001



Mr. Masaru Morimoto
Resident Representative
Japan International Cooperation Agency
Thailand Office
Japan



Mrs. Boontipa Simaskul
Director-General
Department of Business Economics,
Ministry of Commerce
Kingdom of Thailand

I. INTRODUCTION

In response to the request from the Government of the Kingdom of Thailand (hereinafter referred to as "GOT"), the Government of Japan (hereinafter referred to as "GOJ") decided to conduct a Development Study for the Capacity Building Program on the Implementation of the WTO Agreements (hereinafter referred to as "the Study") in accordance with the Agreement on Technical Cooperation between the GOJ and the GOT signed on November 5th, 1981.

Accordingly, the Japan International Cooperation Agency (hereinafter referred to as "JICA"), the official agency responsible for the implementation of the technical cooperation programs of the GOJ, will undertake the Study in close cooperation with the authorities concerned of the GOT.

The present document sets forth the scope of work for the Study.

II. OBJECTIVES OF THE STUDY

The objective of the Study is to facilitate Thailand's implementation of its WTO obligations and to enhance its capacity to participate in multilateral trading system. In order to achieve the above objectives, the Study will include:

- 1) A set of recommendations and assistance to the GOT's authorities, for establishing a mechanism to assess and monitor in compliance with its WTO obligations, and to identify relevant domestic policies and regulations.
- 2) Workshops/seminars / short-term training in Thailand for enhancing knowledge and implementation of WTO Agreements among policymakers and practitioners engaged in WTO activities.

III. SCOPE OF THE STUDY

1. Institutional building of the Department of Business Economics, Ministry of Commerce (hereinafter referred to as "DBE") and the related authorities
 - (1) Organizational analysis of DBE and the related authorities
 - (2) Aggregation of information necessary for implementation of WTO obligations

and collation of Thai laws /regulations related to the implementation of WTO agreement

- (3) Formulation of a plan of an information system to utilize the information aggregated in the above (2)
 - (4) Selection of the scope of the information system developed in the above (3) for pilot implementation mentioned below
 - (5) Pilot implementation of the system designed in the above (4)
2. Capacity building for the implementation of General Agreement on Trade in Services (GATS)
 - (1) Identification and analysis of the obstacles for smooth implementation of the agreement
 - (2) Organizing workshop(s) for enhancing awareness and knowledge of the agreement to relevant authorities
 - (3) Recommendations for building the capacity to meet its obligations
 3. Capacity building for implementation of Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Code) and Agreement on Subsidies and Countervailing Measures
 - (1) Identification and analysis of the obstacles for smooth implementation of the agreements
 - (2) Organizing workshop(s) for improving technical competence of relevant authorities and private sector
 - (3) Recommendation for building the capacity to meet its obligations
 4. Capacity building for the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - (1) Analysis and identification of the obstacles for smooth implementation of the agreement
 - (2) Development of training curriculum and materials for enhancing awareness and knowledge on intellectual property rights and the agreement to the public/government officials concerned
 - (3) Transfer of knowledge to the GOT's officials to conduct training utilizing the materials developed in the above (2)
 - (4) Recommendations for building the capacity to comply with its obligations

5. Capacity building for the implementation of the Agreement on Technical Barriers to Trade (TBT)
 - (1) Identification of the current problems and obstacles for smooth implementation of the agreement
 - (2) Organizing workshop(s) for effective implementation of the agreement and participation to international standardization
 - (3) Recommendations for formulating strategies on the implementation of the agreement and participation to international standardization

6. Improvement of negotiation skills concerned with the agreements of GATS and TBT

IV. WORK SCHEDULE

The Study will be carried out tentatively from August 2001 to December 2002.

V. REPORTS

JICA shall prepare and submit the following reports in English to the GOT respectively.

- (1) Twenty (20) copies of the Inception Report
(at the beginning of the Study: August 2001)
- (2) Twenty (20) copies of the Interim Report
(at the intermediate stage of the Study: May 2002)
- (3) Thirty (30) copies of the Draft Final Report
(at the final stage of the Study: November - December 2002)
- (4) Thirty (30) copies of the Final Report
(after completion of the Study: December 2002)

VI. UNDERTAKING OF THE THAI AUTHORITIES CONCERNED

1. Specific privileges and other benefits to the Japanese Study Team (hereinafter referred to as "the Team") necessary for the conduct of the Study will be provided in accordance with the Agreement on Technical Cooperation between the GOJ and

the GOT signed on November 5th, 1981.

2. DBE shall act as counterpart agency to the Team. DBE shall also act as the coordinating body among the other governmental and non-governmental organizations concerned with smooth implementation of the Study.
3. To facilitate smooth conduct of the Study, DBE shall take necessary measures in cooperation with other relevant organizations as follows:
 - (1) to cooperate in secure the safety of the Team, when and as it is required in the course of the Study,
 - (2) to cooperate in secure permission for entry into private properties or restricted areas for the implementation of the Study,
 - (3) to cooperate in secure permission for the Team to take all data, documents and information necessary for the execution of the Study,
 - (4) to provide medical services as needed. Its expenses will be chargeable on members of the Team
4. DBE shall, at its own expenses, provide the Team with the followings in cooperation with other organizations.
 - (1) available data and information related to the Study,
 - (2) counterpart personnel,
 - (3) suitable office space with necessary equipment in Bangkok and the Study sites, and
 - (4) credentials or identification cards.

VII. UNDERTAKING OF JICA

For the implementation of the Study, JICA shall take the following measures:

1. To dispatch, at its own expense, the Team to Thailand,
2. To pursue technology transfer to the Thai counterpart personnel in the course of the Study.

VIII. CONSULTATIONS

JICA and DBE shall consult with each other in respect of any matter that may arise

from, or in connection with, the Study.

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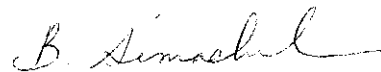
MEMORANDUM OF THE MEETINGS
OF
THE PRELIMINARY STUDY
FOR
THE CAPACITY BUILDING PROGRAM
ON
THE IMPLEMENTATION OF THE WTO AGREEMENTS
IN
THE KINGDOM OF THAILAND

DEPARTMENT OF BUSINESS ECONOMICS,
MINISTRY OF COMMERCE
AND
JAPAN INTERNATIONAL COOPERATION AGENCY

Bangkok, 27 April 2001



Mr. Takumi Ueshima
Leader of the Preliminary Study Team,
Japan International Cooperation
Agency
Japan



Mrs. Boontipa Simaskul
Director-General
Department of Business Economics,
Ministry of Commerce
Kingdom of Thailand

The Preliminary Study Team for Capacity Building Program on Implementation of the WTO Agreements in the Kingdom of Thailand headed by Mr. Takumi Ueshima, Japan International Cooperation Agency (hereinafter referred to as "JICA") had a series of meetings to discuss the scope and contents of the JICA Development Study Project entitled "The Capacity Building Program on Implementation of the WTO Agreements in Thailand" (hereinafter referred to as "the Study") with the officials of Department of Business Economics, Ministry of Commerce (hereinafter referred to as "DBE") and other relevant officials in Thailand from April 24 to 27, 2001.

Followings are the scope of the Study discussed and agreed between DBE and the Preliminary Study Team.

I. OBJECTIVES OF THE STUDY

The objective of the Study is to facilitate Thailand's implementation of its WTO obligations and to enhance its capacity to participate in multilateral trading system. In order to achieve the above objectives, the Study will include:

- 1) A set of recommendations and assistance to the Government of Thailand's (hereinafter referred to as "GOT") authorities, for establishing a mechanism to assess and monitor compliance with its WTO obligations, and to identify relevant domestic policies and regulations.
- 2) Workshops/seminars / short term training in Thailand for enhancing knowledge and implementation of WTO Agreements among policymakers and practitioners engaged in WTO activities.

II. SCOPE OF THE STUDY

1. Institutional building of the Department of Business Economics, Ministry of Commerce (hereinafter referred to as "DBE") and the related authorities
 - (1) Organizational analysis of DBE and the related authorities
 - (2) Aggregation of information necessary for implementation of WTO obligations and collation of Thai laws / regulations related to the implementation of WTO agreement
 - (3) Formulation of a plan of an information system to utilize the information aggregated in the above (2)
 - (4) Selection of the scope of the information system developed in the above

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- (3) for pilot implementation mentioned below
- (5) Pilot implementation of the system designed in the above (4)
2. Capacity building for the implementation of General Agreement on Trade in Services (GATS)
 - (1) Identification and analysis of the obstacles for smooth implementation of the agreement
 - (2) Organizing workshop(s) for enhancing awareness and knowledge of the agreement to relevant authorities
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 4. Capacity building for the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - (1) Analysis and identification of the obstacles for smooth implementation of the agreement
 - (2) Development of training curriculum and materials for enhancing awareness and knowledge on intellectual property rights and the agreement to the public/ government officials concerned
 - (3) Transfer of knowledge to the GOT's officials to conduct training utilizing the materials developed in the above (2)
 - (4) Recommendations for building the capacity to comply with its obligations
 5. Capacity building for the implementation of the Agreement on Technical Barriers to Trade (TBT)
 - (1) Identification of the current problems and obstacles for smooth implementation of the agreement
 - (2) Organizing workshop(s) for effective implementation of the agreement

and participation to international standardization

- (3) Recommendations for formulating strategies on the implementation of the agreement and participation to international standardization
6. Improvement of negotiation skills concerned with the agreements of GATS and TBT

III. WORK SCHEDULE

The Study will be carried out tentatively from August 2001 to December 2002.

IV. REPORTS

JICA shall prepare and submit the following reports in English to the GOT respectively.

- (1) Twenty (20) copies of the Inception Report
(at the beginning of the Study: August 2001)
- (2) Twenty (20) copies of the Interim Report
(at the intermediate stage of the Study: May 2002)
- (3) Thirty (30) copies of the Draft Final Report
(at the final stage of the Study: November - December 2002)
- (4) Thirty (30) copies of the Final Report
(after completion of the Study: December 2002)

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Explanatory Note Supplementary to the memorandum

1. General

1.1 Nature of Scope of the Study

The scope of the Study described in the memorandum doesn't go into the details regarding specific activities of each component because it is quite difficult to have a detailed workplan at the present planning stage. Both the Thai and JICA side are going to discuss and work out the details of each activity at the implementation stage of the Study by looking at the actual needs of the Thai side as well as the availability of Japanese manpower.

1.2 Ownership of the Study

The Thai side will have the ownership of the Study and all cooperation work shall be carried out with the leadership and full participation of the Thai side. JICA's position is to assist such self-help efforts by the Thai side.

2. Objectives of the Study

The overall goal of the Study is to provide Thailand with fundamental capacity to enable them to enjoy the fruits of multilateral free trade system. But normally it requires a fairly long period of time and considerable amount of financial input to build up such capacity, and what can be achieved by the Study itself is very much limited. Therefore, as the first step of JICA's contribution in this field the Study aims to meet urgent needs of capacity building and to encourage both public and private to make their efforts in further enhancing the capacity. In this connection, the Study is going to include a considerable portion of technical transfer component to produce visible outputs.

3. Scope of the Study

Thailand's background information regarding WTO issues and its format will be reviewed at the initial stage of the study process and the results of this work will be utilized for designing a workplan for further activities and making a set of recommendations for further improvement of the capacity in WTO implementation.

3.1 Institutional building of the Department of Business Economics (DBE) and the related authorities

- This activity responds to "National WTO Compliance and Implementation" shown in the official request of the Thai Government. For ensuring smooth implementation of this activity, JICA is going to split this work into the following three phases.
- The first phase will analyze the current situation of the on-going information gathering mechanism of DBE and the related authorities.
- During the second phase, a basic plan for information sharing system related to WTO compliance and implementation will be designed based on the results of the Study in the first phase. At the same time an information system to be developed for the pilot implementation will be selected considering workload, cost and a

period of time needed for this pilot project.

- The third phase will develop and operate the information system selected in the second phase by providing computer hardware, software, and other necessary inputs.
- The detail workplan of this pilot project will be discussed and worked out based on the official request of the Thai Government.
- The Government of Thailand is encouraged to discuss the future plan how to utilize the information system for the sake of national WTO implementation during the process of developing the information system.

3.2 Capacity building for the implementation of General Agreement on Trade in Services

- This activity responds to “Workshop/Seminar: Enhancement of General Knowledge on Agreement on Trade in Services (GATS)” and “Training: On the job training in Japan for Thai officials in financial services and telecommunication services” shown in the official request of the Thai Government.
- The details (theme, period, timing etc.) of workshop(s) will be discussed and worked out based on the results of analysis on present situation. The availability of Japanese manpower is likely to affect the design of the workplan.
- As for the request concerning OJT in Japan for financial and telecommunication services, it is not possible to accommodate such a request with the development study scheme due to budgetary reasons. Utilization of different JICA scheme should be considered in the future.

3.3 Capacity building for implementation of Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Code) and Agreement on Subsidies and Countervailing Measures

- This activity responds to “Workshop/Seminar: Anti-Dumping Duties and Countervailing Duties” shown in the official request of the Thai Government.
- The detail plan (Theme, Target group, etc.) for the workshop(s) will be discussed and determined during the initial stage of the Study based on the result of analysis on present situation of the implementation of the Agreements.
- It was confirmed that the Thailand’s request of “Invitation of ASEAN officials to workshop on AD/CVD” was quite difficult to accommodate in the Study. Such needs will be considered in the future.

3.4 Capacity building for the implementation of the Agreement on Trade-Related Aspects of the Intellectual Property Rights (TRIPS)

- This activity responds to “Training: Intellectual Property Rights and TRIPS” shown in the official request of the Thai Government.
- The training curriculum and materials for enhancing public awareness and general knowledge on intellectual property rights issues and TRIPS Agreement will be developed after analyzing the present situation of implementation of TRIPS Agreements. Training of the trainers will be held utilizing materials developed by the Study team so that Thai government officials can deliver a training program by themselves.

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3.5 Capacity building for the implementation of the Agreement on Technical Barriers to Trade (TBT)

- This activity responds to “Training: Development of Negotiation Skills on Technical Barriers to Trade issues in WTO and relevant international standard organizations, Outline a) and b)” shown in the official request of the Thai Government.
- The workshop(s) will be held in order to transfer Japanese experience on the implementation of TBT Agreement and participation to international standardization.

3.6 Improvement of the negotiation skills focusing on GATS and TBT Agreements

- This activity responds to “Training: Negotiation Skills on GATS”, and “Training: Development of Negotiation Skills on Technical Barriers to Trade issues in WTO and relevant international standard organizations, Outline c)” in the official request of the Thai Government.
- The detail plan (Target group, Methodology etc.) of the training will be discussed and agreed during the initial stage of the Study based on the results of analysis on the present capacity of each agreement.

4. Work Schedule

- The Study is tentatively scheduled from August 2001 to December 2002. To meet the needs and requirements of each agreement flexibly, the detailed workplans for implementation are rolled-forward on a 6-month basis through the discussion between the Study team and the Thai side. Timing, duration of implementation, respective expertise of experts of each component will be determined according to this workplan.

5. Implementing organizations

5.1 Counterpart Agencies

The Study consists six (6) institutional building components (Institutional Building of DBE, Capacity building for the implementation on GATS, Capacity building for the implementation on AD/CVD, Capacity building for the implementation on TRIPS, Capacity building for the implementation on TBT, Improvement of Negotiation skills focusing on GATS and TBT) under the overall management and coordination of DBE. Counterpart agencies will be assigned for each component, which will enhance their capacity by conducting cooperative work with JICA study team. DBE will nominate the counterpart agencies of each component and inform the Japanese side of the names and contact points (telephone/fax number, e-mail address) of them by the end of May 2001.

5.2 Working Group

DBE may organize the working group to review the project progress. The working group will be comprised of the counterpart agencies mentioned in 5.1 above.

5.3 Participation of local consultants

Local consultants will be utilized in some of the study activities (ex. collection and

analysis of laws/regulations, Setting up pilot information system etc) if they are available. It was confirmed that cooperative work among counterpart agencies, JICA study team and local consultants would be necessary for the smooth conduct of the Study.

5.4 Office Space

Suitable office space and necessary equipments for the Study team will be prepared by DBE before the commencement of the Study. The Japanese side will inform DBE of the number of the Study members and request the arrangement of office space by the early of July 2001.

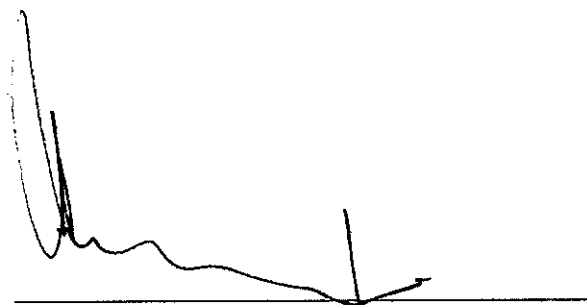
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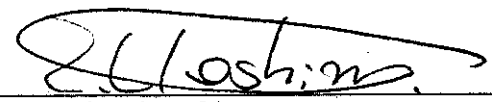
SCOPE OF WORK
FOR
THE CAPACITY BUILDING PROGRAM
ON
THE IMPLEMENTATION OF THE WTO AGREEMENTS
IN
REPUBLIC OF INDONESIA

AGREED UPON BETWEEN
MINISTRY OF INDUSTRY AND TRADE
AND
JAPAN INTERNATIONAL COOPERATION AGENCY

Jakarta, September 14, 2001



Mr. Hatanto Reksodipoetro
Director General of
International Trade and Industry Cooperation
Ministry of Industry and Trade
Republic of Indonesia



Mr. Takumi Ueshima
Leader of the Preparatory Study Team
Japan International Cooperation Agency
Japan

I. INTRODUCTION

In response to the request of the Government of the Republic of Indonesia (hereinafter referred to as "GOI"), the Government of Japan (hereinafter referred to as "GOJ") decided to conduct a Development Study for the Capacity Building Program on the Implementation of the WTO Agreements (hereinafter referred to as "the Project") in accordance with the relevant laws and regulations in force in Japan.

Accordingly, the Japan International Cooperation Agency (hereinafter referred to as "JICA"), the official agency responsible for the implementation of the technical cooperation programs of the GOJ, will undertake the Project in close cooperation with the relevant authorities concerned of the GOI.

The present document sets forth the scope of work for the Project.

II. OBJECTIVE OF THE PROJECT

The objective of the Project is to facilitate the GOI's implementation of its WTO obligations and to enhance its capacity to participate in multilateral trade liberalization. In order to achieve the said objective, the Project will include:

- (1) A set of policy recommendations to Indonesian government agencies for enhancing their overall capacities to implement the WTO Agreements
- (2) Provision of advice and/or trainings for deepening the expert knowledge about the implementation of the selected WTO Agreements among WTO policymakers and practitioners

III. SCOPE OF THE PROJECT

1. Institutional capacity building of Ministry of Industry and Trade (hereinafter referred to as "MOIT")

- (1) Analysis of institutional capacity of MOIT and the related authorities (current states of information-sharing, inter-agency coordination etc.)
- (2) Formulation of recommendations for MOIT to strengthen their coordination and monitoring capacities by utilizing information technology

- (3) Selection of the scope of the information system in MOIT planed in the above (2) for pilot implementation
 - (4) Pilot implementation of the system designed in the above (3)
2. Capacity building for the implementation of Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Code), Agreement on Subsidies and Countervailing Measures, Agreement on Safeguard and Understanding of Dispute Settlement.
 - (1) Analysis and identification of the obstacles for smooth implementation of the Agreements
 - (2) Provision of advice and guidance for improving the implementation capacity of the Agreements including negotiation skill and dispute settlement work skill
 - (3) Recommendations for further building the capacity to implement the Agreements
 3. Capacity building for the implementation of General Agreement on Trade in Services (GATS).
 - (1) Analysis and identification of the obstacles for smooth implementation of the Agreement
 - (2) Provision of advice and guidance for improving implementation capacity of the Agreement including negotiation skill
 - (3) Recommendations for further building the capacity to implement the Agreement
 4. Capacity building for the implementation of Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 - (1) Analysis and identification of the obstacles for smooth implementation of the Agreement
 - (2) Development of teaching curriculum and materials for relevant authorities and private sector to strengthen enforcement of intellectual property rights
 - (3) Provision of trainers-training for improving enforcement capacity of the Agreement by utilizing the materials developed in the above (2)
 - (4) Recommendations for further building the capacity to implement the Agreement
 5. Capacity building for the implementation of the Agreement on Technical Barriers to Trade (TBT)
 - (1) Review on WTO compliance of domestic laws and regulations relating to the Agreement

- (2) Provision of advice and guidance for effective implementation of the Agreement and other international standards agreements
- (3) Recommendations for further building the capacity to implement the Agreement and other international standards agreements

IV. WORK SCHEDULE

The Project will be carried out tentatively from January 2002 to March 2003.

V. REPORTS

JICA shall prepare and submit the following reports in English to the GOI respectively.

- (1) Thirty (30) copies of the Inception Report
(at the beginning of the Project: January 2002)
- (2) Thirty (30) copies of the Interim Report
(at the intermediate stage of the Project: August 2002)
- (3) Thirty (30) copies of the Draft Final Report
(at the final stage of the Project: January - February 2003)
- (4) Thirty (30) copies of the Final Report
(after completion of the Project: March 2003)

VI. UNDERTAKING OF THE GOVERNMENT OF INDONESIA

1. To facilitate smooth conduct of the Project, GOI shall take the necessary measures:
 - (1) To secure the safety of the Japanese Project Team (hereinafter referred to as "the Team");
 - (2) To permit the members of the Team to enter, leave and sojourn in Indonesia for the duration of their assignment therein, and exempt them from alien registration requirements and consular fees;
 - (3) To exempt the members of the Team from taxes, duties, fees and any other charges on equipment, machinery and other materials brought into, and out of, Indonesia for the conduct of the Project;
 - (4) To exempt the members of the Team from income tax and charges of any kind

imposed on, or in connection with, any emoluments or allowances paid to them for their services for the implementation of the Project;

- (5) To provide necessary facilities to the Team for remittance as well as utilization of the funds introduced into Indonesia from Japan for the implementation of the Project;
- (6) To secure permission for entry into all areas concerned for the implementation of the Project;
- (7) To secure permission for the Team to take all data and documents related to the Project out of Indonesia; and
- (8) To provide medical service as needed. Its expenses can be charged to the members of the Team.

2. GOI shall bear claims, if any arise, against the member of the Team resulting from, occurring in the course of, or otherwise connected with the discharge of their duties in the implementation of the Project, except when such claims arise from gross negligence or willful misconduct on the part of the members of the Team.

3. MOIT, in collaboration with relevant authorities, shall act as the counterpart agency to the Team and also as a coordinating body in relation with other governmental and non-governmental organizations concerned for the smooth implementation of the Project.

4. MOIT shall, at its own expenses, provide the Team with the followings, in cooperation with other relevant organizations.

- (1) available data and information related to the Project
- (2) counterpart personnel
- (3) suitable office space with necessary equipment in Jakarta
- (4) credentials or identification cards

VII. UNDERTAKING OF JICA

For the implementation of the Project, JICA shall take the following measures:

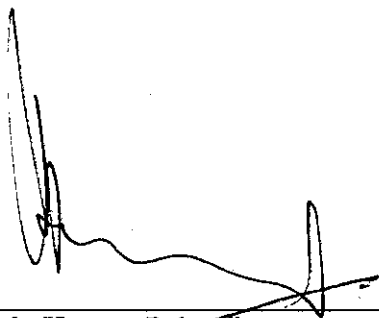
- (1) To dispatch, at its own expense, the Team to Indonesia
- (2) To pursue technology transfer to the Indonesian counterpart personnel in the course of the Project

VIII. CONSULTATIONS

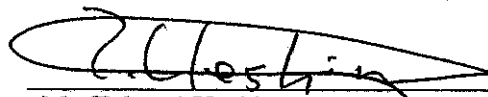
JICA and MOIT shall consult with each other in respect of any matter that may arise from, or in connection with, the Project.

MINUTES OF MEETING
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AGREED UPON BETWEEN
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JAPAN INTERNATIONAL COOPERATION AGENCY

Jakarta, September 14, 2001



Mr. Hatanto Reksodipoetro
Director General of
International Trade and Industry Cooperation
Ministry of Industry and Trade
Republic of Indonesia



Mr. Takumi Ueshima
Leader of the Preparatory Study Team,
Japan International Cooperation
Agency
Japan

The Japanese Preparatory Study Team (hereinafter referred to as "the Team") organized by the Japan International Cooperation Agency (hereinafter referred to as "JICA") and headed by Mr. Takumi Ueshima visited Republic of Indonesia from 9th to 14th of September, 2001, for the purpose of discussing the framework of the JICA Development Study Project entitled "The Capacity Building Program on the Implementation of the WTO Agreements in Republic of Indonesia" (hereinafter referred to as "the Project").

The Team exchanged views and had a series of discussions with the representatives of the Government of Indonesia (hereinafter referred to as "GOI"), including Ministry of Industry and Trade (hereinafter referred to as "MOIT") and other agencies concerned.

The relevant organizations attended the meeting are on the attached list.

1. General

The Team made the following statements and those were fully understood by the Indonesian side.

1.1 Nature of S/W

The Scope of Work (S/W) is a principal document between JICA and the Indonesian side to set implementation modality of the proposed technical assistance under the Development Study scheme of JICA. It includes broad objectives, activities and implementation framework of the technical assistance. However the S/W does not go into the details regarding specific activities because it is quite difficult to have a detailed workplan at this stage. Both the Indonesian and the Technical Assistance Consultant Team sides shall discuss and work out the details of each activity at the implementation stage of the Project.

1.2 Ownership of the Project

JICA carries out the Project under the framework of bilateral technical assistance program and therefore it should be confirmed that the Indonesian side has the ownership of the Project and all cooperation work should be carried out with the leadership and full participation of the Indonesian side. JICA's position is to assist such self-help efforts by the Indonesian side.

1.3 Objectives of the Project

The overall goal of the Project is to provide Indonesia with fundamental capacity to enable them to enjoy the fruits of multilateral free trade system. But normally it requires

a fairly long period of time and considerable amount of financial input to build up such capacity, and what can be achieved by the Project itself is very much limited. Therefore, as the first step of JICA's contribution in this field, the Project aims to meet urgent needs of capacity building and to encourage both public and private sector to make their efforts in further enhancing the capacity. In this connection, it should be noted that the Project is going to include a considerable portion of technical transfer component to produce visible outputs.

1.4 Work Schedule

The Project is tentatively scheduled from January 2002 to March 2003. To meet the needs and requirements of each agreement flexibly, the detailed workplans for implementation are rolled-forward on a 6-month basis through the discussion between the Indonesian side and the Technical Assistance Consultant Team. The schedule, duration of implementation and respective expertise of experts of each component will be decided according to these workplans.

1.5 Counterpart Agencies

The Project is comprised of five (5) capacity building components (①Institutional Building of MOIT, ②Capacity building for the implementation of AD/CVD/SG and DSU, ③Capacity building for the implementation of GATS, ④Capacity building for the implementation of TRIPS, ⑤Capacity building for the implementation of TBT) under the overall management and coordination of MOIT. Counterpart agencies will be assigned for each component, which will enhance their capacity by conducting cooperative work with the Technical Assistance Consultant Team. MOIT will coordinate and nominate the counterpart agencies of each component.

2. Scope of the Project

2.1 Institutional Building of MOIT

The Team stated the followings:

This activity is especially focusing on building institutional capacity of MOIT's coordination work with other related organizations as the responsible agency of WTO issues in Indonesia. For ensuring smooth implementation, JICA will divide this work into the following three phases.

- In the first phase, the Technical Assistance Consultant Team will analyze the current situation of the on-going information gathering / coordinating mechanism of MOIT

and related authorities.

- During the second phase, recommendations for MOIT to strengthen capacity of WTO implementation, coordination work and a basic plan for information system related to WTO issues will be formulated based on the results of the analysis in the first phase. At the same time, an information system for the pilot implementation will be decided considering the workload, cost and necessary period of time for this pilot project.
- In the third phase the pilot information system selected above will be developed and operated.

The feasibility of the pilot information system should be carefully studied taking into account the sustainability of the system in terms of maintenance cost and workload.

In response to the above, the Indonesian side commented that the establishment of information center related to the WTO issues in MOIT would greatly contribute to the strengthening of coordination work within the GOI. The Indonesian side confirmed that appropriate counterpart personnel who have expert knowledge about information technology would be assigned for this cooperation activity.

2.2 Capacity building for implementation of Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping Code), Agreement on Subsidies and Countervailing Measures, Agreement on Safeguard and Understanding of Dispute Settlement (AD/CVD/SG and DSU)

The Team stated the followings:

- (1) This activity is mainly focusing on building MOIT's capacity of the implementation of AD/CVD/SG Agreements and DSU.
- (2) In this activity, short-term training will be carried out to improve government official's knowledge on administrative procedures on the implementation of the Agreements, which includes improvement of negotiation skill and dispute settlement work skill (to transfer fundamental and comprehensive knowledge supported by appropriate examples).
- (3) The detail plan (theme, target group, etc.) will be discussed and determined during the initial stage of the Project based on the result of analysis on the present situation of the implementation of the Agreements.

Regarding the target group of capacity building, it was strongly requested by the Indonesian side that relevant officials in the regional level would also be included in the training target because the decentralization process was underway in Indonesia. The

Team responded that priority target at the early stage would be the central government officials rather than regional government officials.

2.3 Capacity building for the implementation of General Agreement on Trade in Services (GATS)

The Indonesian side (Ministry of Finance, Bank Indonesia, Ministry of Communications) and the Team agreed on the followings:

- (1) In this activity, technical assistance will include the study in the Indonesian domestic laws and regulations related to GATS in comparison with those of the selected countries. Short-term training will also be carried out to improve general knowledge on GATS, which includes improvement of negotiation skill.
- (2) It should be understood that the availability of Japanese manpower is likely to affect the design of the workplan for such broad area on GATS.
- (3) Regarding the request concerning DSU skill on GATS, the Technical Assistance Consultant Team provides fundamental knowledge to related authorities.

2.4 Capacity building for the implementation of Agreement on Trade-Related Aspects of the Intellectual Property Rights (TRIPS)

The Team stated the followings:

- (1) The Indonesian Government has already institutionalized necessary legal measures for TRIPS compliance. In order to further ensure the conformity with the Agreement, greater attention should be paid to the enforcement aspect of IPR preservation.
- (2) In view of the above, the cooperation activity will start with survey to confirm the current state of TRIPS implementation, identify issues, and prioritize area for assistance.
- (3) According to survey results, a training curriculum and teaching materials will be developed to improve the understanding and enforcement capacity of related personnel in the selected areas of assistance. Trainers-training will be carried out, utilizing materials developed for selected personnel both from the relevant authorities and private sectors so that Indonesia can engage in sustainable human resource development activities in this area.

The Indonesian side (Ministry of Justice and Human Rights) made comments on the above as follows:

- (1) In the field of the enforcement aspect of IPR preservation, Directorate General of Intellectual Property Rights (DGIPR) is currently developing a training materials

with the assistance under the World Bank finance. But there still exists needs to further develop training materials that can be used for different agencies and organizations involved in the enforcement of the Agreement.

- (2) The survey for analyzing current state of TRIPS implementation should be made in different areas of Indonesia if the survey intends to understand the level of awareness on the part of general public and industry about IPR.
- (3) DGIPR shall provide additional information with regard to the on-going projects by other international institutions/countries by the end of September.

The Team responded to the comments made by the Indonesian side as follows and those were accepted by the Indonesian side.

- (1) The details of the cooperation activities will be carefully designed in order to avoid any overlapping of assistance. If the Technical Assistance Consultant Team find out significant duplication between the activities offered by the Team and on-going projects assisted by other donors, implementation of this component will be suspended.
- (2) The initial survey to be undertaken for clarifying the current state of TRIPS implementation is likely to be made mainly targeting relevant agencies and organizations involved in IPR in Jakarta due to the time constrains.

2.5 Capacity building for the implementation of Agreement on Technical Barriers to Trade (TBT)

The Indonesian side (National Standardization Agency) agreed on the cooperation activities offered by the Team.

The both sides agreed the details of the cooperation activities would be discussed and worked out based on the request submitted by the Indonesian side at the inception stage.

2.6 Details of each component

The detail plan (theme, target group, etc.) in addition to the above outlines of each component will be discussed and determined during the inception stage of the Project based on the result of analysis on the present situation of the implementation of the Agreements.

3. Implementation of the Study

The Indonesian side agreed the followings:

3.1 Focal Point for each component

The Indonesian side will appoint the focal points for respective components.

3.2 Participation of local consultants

Local consultants will be utilized in some of the activities (ex. collection and analysis of laws/regulations, setting up pilot information system, etc.) when they are available.

3.3 Counterpart Training

The Counterpart Training for the official from MOIT would be held for one (1) week in early March, 2002.

3.4 Office Space

Suitable office space and necessary equipment for the Project team will be prepared by MOIT before the commencement of the Project. The Japanese side will inform MOIT of the number of Technical Assistance Consultant Team members and request the arrangement of office space by the middle of December 2001.

List of Organizations

1. Ministry of Industry and Trade
 - Bureau of Planning
 - Directorate General of Trade and Industry Cooperation
2. Ministry of Finance
 - Directorate General of Financial Institutions
3. Bank Indonesia
4. Ministry of Communications
 - Directorate General of Posts and Telecommunications
5. National Standardization Agency
6. Ministry of Justice and Human Rights
 - Directorate General of Intellectual Property Rights

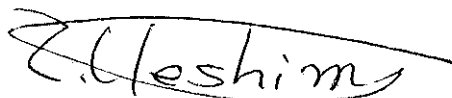


SCOPE OF WORK
FOR
THE CAPACITY BUILDING PROGRAM
ON
THE IMPLEMENTATION OF THE WTO AGREEMENTS
IN
MALAYSIA
AGREED UPON BETWEEN
MINISTRY OF INTERNATIONAL TRADE AND INDUSTRY
AND
JAPAN INTERNATIONAL COOPERATION AGENCY

Kuala Lumpur, December 13, 2001



Sidek Hassan
Deputy Secretary General (Trade)
Ministry of International Trade and Industry
Malaysia



Takumi Ueshima
Leader of the Preparatory Study Team
Japan International Cooperation Agency
Japan

I. INTRODUCTION

In response to the request of the Government of Malaysia (hereinafter referred to as “GOM”), the Government of Japan (hereinafter referred to as “GOJ”) decided to conduct a Development Study for the Capacity Building Program on the Implementation of the WTO Agreements (hereinafter referred to as “the Project”) in accordance with the relevant laws and regulations in force in Japan.

Accordingly, the Japan International Cooperation Agency (hereinafter referred to as “JICA”), the official agency responsible for the implementation of the technical cooperation programs of the GOJ, will undertake the Project in close cooperation with the relevant authorities concerned of the GOM.

The present document sets forth the scope of work for the Project.

II. OBJECTIVE OF THE PROJECT

The Project intends to enhance the GOM’s capacity to participate in multilateral trade liberalization in accordance with the WTO obligations.

III. SCOPE OF THE PROJECT

1. Capacity building for the implementation of the Agreements on Agriculture/Sanitary and Phytosanitary Measures (SPS)

- (1) Analysis and identification of the obstacles for smooth implementation of the Agreements
- (2) Provision of advice and training for deepening the expert knowledge about the implementation of the Agreements among WTO policymakers and practitioners.
- (3) Provision of policy recommendations to the GOM’s agencies to enhance their overall capacity to implement the Agreements

(Note) :

- This activity responds to “National Workshop to Enhance in Depth Understanding of WTO Agreements on Agriculture” and “National Workshop to Enhance in Depth Understanding of WTO Agreements on Sanitary and Phytosanitary Measures” shown in the official request of the GOM – Appendix I and II respectively.

- Article 1. (2) in the above would include workshop(s) to provide relevant officials with increased understanding of both Agreements. It is expected that the workshop would deal with such issues as 1) basic structure, idea and obligations/rights of both Agreements, 2) risk analysis of agricultural products, 3) distribution system of agricultural products, introduction of cases in Japan (external trade and distribution system of agricultural products). The detailed plan, such as issues to be covered, period and speakers would be discussed and determined during the initial stage of the Project based on the results of analysis on the present situation of the implementation of the both Agreements as well as availability of speakers and lecturers for the workshop.
- Understanding of new issues arising from the Fourth WTO Ministerial Conference with respect to both Agreements would be included in the capacity building activities.
- The workshop would correspond to the implementation of “the Program for Promoting Better Understanding on Trade and Distribution System of Agricultural Products in Japan”.

2. Capacity building for dealing with the Dispute Settlement Understanding (DSU)

- (1) Analysis and identification of the obstacles for smooth implementation of the Agreement
- (2) Provision of advice and training for deepening the expert knowledge about the DSU among WTO policymakers and practitioners
- (3) Provision of policy recommendations to the GOM’s agencies to enhance their overall capacity to implement the DSU

(Note):

- This activity responds to “Enhancing Technical Capacity to deal with WTO Dispute Settlement Understanding (Workshop)” shown in the official request of the GOM- Appendix III.
- Article 2. (2) in the above would include workshop(s) to enhance the knowledge and expertise of personnel in respect of the DSU and create a pool of expertise from both public and private sectors in order to be able to manage matters arising from the DSU. The detailed plan, such as issues to be covered, period and speakers would be discussed and determined during the initial stage of the Project based on the actual needs of dispute settlement skills as well as availability of speakers and lecturers for the workshop.
- Following issues would be included in the capacity building activities:
 - 1) Dispute settlement – mooted sessions, identification of issues and case studies in the light of experiences in Japan and/or any other countries.

- 2) Understanding of new issues arising from the Fourth WTO Ministerial Conference such as trade and environmental matters.

3. Capacity building for the implementation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

- (1) Analysis and identification of the obstacles for smooth implementation of the Agreement
- (2) Provision of advice and training for deepening the expert knowledge about the implementation of the Agreement among WTO policymakers and practitioners
- (3) Provision of policy recommendations to the GOM's agencies to enhance their overall capacity to implement the Agreement

(Note):

- This activity responds to "Enhancing Capacity to Train Malaysian Human Resource with Particular Reference to TRIPS obligations" and "Strengthening the capacity of Ministry of Domestic Trade and Consumer Affairs to deal with WTO commitments in TRIPS" shown in the official request of the GOM – Annex IV.
- Article 3. (2) in the above would include a workshop to enhance better understanding of the Agreement. The workshop would include 1) lectures on development of the TRIPS Agreement and other IP-related Agreements, 2) case studies with reference to the Agreement. The detailed plan, such as issues to be covered, period and speakers would be discussed and determined during the initial stage of the Project based on the results of analysis on the present situation of implementation of the Agreement as well as availability of speakers and lecturers for the workshop.
- Understanding of new issues arising from the Fourth WTO Ministerial Conference with respect to the Agreement would be included in the capacity building activities.
- Article 3. (3) in the above would include the training curriculum and materials for further capacity building.

4. Capacity building for facilitating the implementation of the Agreement on Technical Barriers to Trade (TBT)

- (1) Analysis and identification of the areas which need strengthening for effective participation in the international standard setting activities
- (2) Provision of advice and training for deepening the expert knowledge about the implementation of the Agreement among WTO policymakers and practitioners
- (3) Provision of policy recommendations to the GOM's agencies to enhance their overall capacity to implement the Agreement

(Note):

- This activity responds to “Enhancing Capacity to understand and deal with TBT especially with regard to standard and conformance issues” shown in the official request submitted by Department of Standards Malaysia/SIRIM.
- Article 4. (2) in the above would include a workshop on capacity building on the Agreement. The detailed plan, such as issues to be covered, period and speakers would be discussed and determined during the initial stage of the Project based on the result of analysis on the present situation of implementation of the Agreement as well as availability of speakers and lecturers for the workshop.

IV. PROJECT SCHEDULE

The Project is tentatively scheduled from March 2002 to May 2003. The detailed work schedule for the implementation will be agreed and reviewed accordingly through discussions between the Malaysian side and the Project team during the implementation stage of the Project.

V. REPORTS

JICA shall prepare and submit the following reports in English to the GOM respectively.

- (1) Thirty (30) copies of the Inception Report
(at the beginning of the Project: March 2002)
- (2) Thirty (30) copies of the Interim Report
(at the intermediate stage of the Project: October 2002)
- (3) Thirty (30) copies of the Draft Final Report
(at the final stage of the Project: March 2003)
- (4) Thirty (30) copies of the Final Report
(after completion of the Project: May 2003)

VI. UNDERTAKING OF THE GOVERNMENT OF MALAYSIA

To facilitate smooth conduct of the Project, the Malaysian side shall undertake the following:

1. To inform members of the Project Team (hereinafter referred to as "the Team") of any existing risk in the Project area and to take any measures deemed necessary to secure the safety of the Team;
2. To ensure the necessary entry permits for the Team to conduct field surveys in Malaysia and exempt them from consular fees;
3. To exempt the members of the Team from taxes and duties, as normally accorded under the provision of Malaysia General Circular No.1 of 1979, on equipment, machinery and other materials brought into and out of Malaysia for the conduct of the Project;
4. To exempt the members of the Team from income tax in Malaysia on their official emoluments in respect of their period of assignment in Malaysia in connection with the conduct of the Project. However the Malaysian side shall retain the right to take such emoluments into account for the purpose of assessing the amount to be applied to income from other sources;
5. To provide necessary facilities to the Team for the remittance as well as utilization of the funds introduced into Malaysia from Japan in connection with the conduct of the Program;
6. To secure permission for entry into private properties or into restricted areas for the conduct of the Project;
7. To provide the Team with medical services when needed. Expenses will be chargeable to the members of the Team;
8. To provide the Team available data, maps and information necessary for the execution of the Project;
9. To make arrangements for the Team to take back to Japan data, maps and materials connected with the Project, subject to the approval of the Malaysian side, in order to prepare the reports;
10. To appoint counterpart personnel to the Team during the Project period;
11. To provide the Team with suitable office space with clerical services and necessary office equipment during the Project period;
12. To provide the Team with proper identification and certification documents;
13. To indemnify any members of the Team in respect of damages arising from any legal action taken against him/her in relation to any act performed or omissions made in undertaking the Project, except in cases where both Governments agree

that the member is guilty of gross negligence or willful misconduct;

14. Ministry of International Trade and Industry (hereinafter referred to as "MITI"), in collaboration with relevant authorities, shall act as the counterpart agency to the Team and also as a coordinating body in relation with other governmental and non-governmental organizations concerned for the smooth implementation of the Project;
15. Malaysian side shall organize a Steering Committee to be chaired by MITI for the purpose of coordinating the Malaysian side's responsibilities in connection with the Project.

VII. OTHERS

1. FUNDING

JICA shall dispatch, at its own expense, consultants and experts to provide technical assistance for the Project. JICA may bear the expenses necessary for organizing workshops/seminars if needed, except for the expenses related to counterparts and local participants.

2. COUNTERPART AGENCY

- (1) The Project is comprised of four (4) components under the overall management and coordination of MITI.
- (2) Counterpart agency for each component is as follows:
 - Component 1. Agriculture/SPS : Ministry of Agriculture, Ministry of Health
 - Component 2. DSU : Attorney General's Chambers
 - Component 3. TRIPS : Ministry of Domestic Trade and Consumer Affairs
 - Component 4. TBT : Department of Standards Malaysia
- (3) Counterpart agency shall nominate the focal point of cooperation activities and counterpart personnel who work with the Project team.

3. CONSULTATIONS

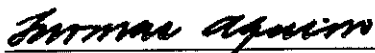
JICA and MITI of the GOM shall consult with each other in respect of any matters that may arise from, or in connection with, the Project.

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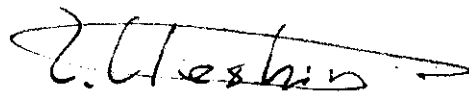
IMPLEMENTING ARRANGEMENT
ON
THE TECHNICAL COOPERATION
FOR
THE CAPACITY BUILDING PROGRAM
ON
THE IMPLEMENTATION OF THE WTO AGREEMENTS
IN
THE REPUBLIC OF THE PHILIPPINES

AGREED UPON BETWEEN
DEPARTMENT OF TRADE AND INDUSTRY
AND
JAPAN INTERNATIONAL COOPERATION AGENCY

Manila, May 24th, 2002



Mr. Thomas G. Aquino
Undersecretary
Department of Trade and Industry
Republic of the Philippines



Mr. Takumi Ueshima
Team Leader of the Preparatory Study Team,
Japan International Cooperation Agency
Japan

I. INTRODUCTION

In response to the request of the Government of the Republic of the Philippines (hereinafter referred to as "GOP"), the Government of Japan (hereinafter referred to as "GOJ") decided to conduct a Development Study for the Capacity Building Program on the Implementation of the WTO Agreements (hereinafter referred to as "the Project"). The GOJ exchanged Notes Verbale with the GOP concerning the implementation of the Program.

Accordingly, the Japan International Cooperation Agency (hereinafter referred to as "JICA"), the official agency responsible for the implementation of the technical cooperation programs of the GOJ, will undertake the Project in accordance with the relevant laws and regulations in force in Japan.

On behalf of the GOP, the Department of Trade and Industry (hereinafter referred to as the "DTI") shall act as the counterpart agency to the Japanese study team (hereinafter referred to as "the Team") and also as a coordinating body in relation with other governmental and non-governmental organizations concerned for the smooth implementation of the Project.

This document constitutes the Implementing Arrangement between the DTI and JICA based on the above-mentioned Notes Verbale exchanged between two governments.

II. OBJECTIVE OF THE PROJECT

The Project intends to enhance the GOP's capacity to participate in multilateral trade liberalization in accordance with the WTO obligations.

III. SCOPE OF THE PROJECT

1. Enhancement of Inter-agency Information Sharing

- (1) Analysis of institutional capacity of DTI and the related authorities (current status of information-sharing, inter-agency coordination, etc.)
- (2) Formulation of recommendations to strengthen inter-agency coordination capacities

by utilizing information and communication technology

- (3) Selection of the scope of the information sharing system in DTI planned in (2) above for pilot implementation
- (4) Pilot implementation of the system designed in (3) above

Notes:

- JICA will divide the work into the following three phases for ensuring smooth implementation.
- The first phase will analyze the current situation of the on-going information gathering / sharing / coordinating mechanism of DTI and related authorities.
- During the second phase, a basic plan for strengthening the information sharing capacity related to WTO implementation will be formulated based on the results of the analysis in the first phase. At the same time, an information sharing system utilizing ICT for the pilot project will be decided considering target, workload, cost, necessary period and information infrastructure. The coverage of the pilot project may remain within DTI and will not necessarily deal with its inter-agency information sharing with other related authorities.
- The third phase will develop and implement the pilot information sharing system decided above.

2. Capacity building for the implementation of the Agreements on Agriculture and on Sanitary and Phytosanitary Measures (except for human health and food safety related issues)

- (1) Review of understanding and implementation of the Agreements
- (2) Provision of advice and guidance for improving the capacity to implement the Agreements
- (3) Recommendations for further building the capacity to implement the Agreements

Notes:

- In this component, a workshop will be organized to provide relevant officials with increased understanding of the related Agreements.
- The detailed plan (issues to be covered, period, as well as the availability of speakers and lecturers for the workshop, etc.) will be discussed and determined during the initial stage of the Project based on the result of the analysis of the present situation on the implementation of the related Agreements.
- The workshop would include the implementation of "the Program for Promoting

Better Understanding on Trade and Distribution System of Agricultural Products in Japan”.

3. Capacity building for the implementation of the General Agreement on Trade in Services (GATS)

- (1) Review of the understanding and implementation of the Agreement
- (2) Provision of advice and guidance for improving the capacity to implement the Agreement
- (3) Recommendations for further building the capacity to implement the Agreement

Notes:

- In this component, a few prioritized sectors of laws and regulations related to the GATS Agreement will be reviewed to gauge the degree of understanding of the Agreement. Workshop(s) will also be carried out to provide increased knowledge of GATS.
- The detailed plan (target sector, period, schedule of each activity, as well as the availability of speakers and lecturers for the workshop, etc.) will be discussed and worked out based on the results of the analysis of the present situation.

4. Capacity building for the implementation of the Agreements on Safeguards and Implementation of Article VI of the GATT 1994 (Anti-Dumping Code)

- (1) Review of the understanding and implementation of the Agreements
- (2) Provision of advice and guidance for improving the capacity to implement the related Agreements
- (3) Recommendations for further building the capacity to implement the Agreements

Notes:

- In this component, workshop(s) will be carried out to improve government officials' practical knowledge and skills on administrative procedures (e.g. conduct of investigation) on the implementation of the related Agreements.
- The detailed plan (covered issues, period, as well as the availability of lecturers for the workshop, etc.) will be discussed and determined during the initial stage of the Project based on the result of the analysis of the present situation on implementation of the related Agreements.

5. Capacity building for the implementation of the Agreement on Technical Barriers to Trade (TBT)

- (1) Review of the understanding and implementation of the Agreement

- (2) Provision of advice and guidance for improving the capacity to implement the Agreement and strengthening the capability of the national enquiry point
- (3) Recommendations for further building the capacity to implement the Agreement

Notes:

- Recommendations for suitable institutional functions and procedures will be made.
- Workshop(s) will be held in order to transfer related knowledge and skills on the implementation of the TBT Agreement.
- The detailed plan (covered issues, period, as well as the availability of lecturers for the workshop, etc.) will be discussed and determined during the initial stage of the Project based on the result of the analysis of the present situation on implementation of the Agreement.

6. Formulation of Action Plans for Building Capacity to Participate in the Multilateral Trading System

- (1) Introduction of the significance of capacity building activities
- (2) Analysis and identification of the present obstacles for capacity building and results (output, lessons, etc.) of the program for 1-5 above
- (3) Recommendations and formulation of an action plan for further building the capacity for smooth participation in the multilateral trading system

Notes:

- The action plan includes summary and analysis of the capacity building activity in this Program, and recommendations for sustainable capacity building activities in the future.
- Seminar(s) will be held to provide enhanced knowledge and skills for smooth participation in the multilateral trading system. Seminar(s) also aims to raise awareness of importance and benefits of implementation of WTO agreements for government officials and practitioners.
- The detailed plan (covered issues, period, etc.) will be discussed and determined during the implementation stage of the Project based on the result of each component.

IV. WORK SCHEDULE

The Project will be carried out tentatively from October 2002 to March 2004.

V. REPORTS

JICA shall prepare and submit the following reports in English to the GOP:

- (1) Thirty (30) copies of the Inception Report
(at the beginning of the Project: October 2002)
- (2) Thirty (30) copies of the Interim Report
(at the intermediate stage of the Project: August 2003)
- (3) Thirty (30) copies of the Draft Final Report
(at the final stage of the Project: January - December 2003)
- (4) Thirty (30) copies of the Final Report
(after completion of the Project: March 2004)

VI. UNDERTAKING OF THE GOVERNMENT OF THE PHILIPPINES

In accordance with the Notes Verbale exchanged between the GOJ and GOP, the GOP shall accord privileges, immunities and other assistance to the Team in connection with the performance of their duties for the Project and, through the authorities concerned, take necessary measures to facilitate the smooth conduct of the Project.

1. The GOP shall be responsible for dealing with claims which may be brought by third parties against the members of the Team and shall hold them unaccountable in receipt of claims and liabilities arising in the course of, or otherwise connected with the discharge of their duties in the implementation of the Project, except when such claims or liabilities arise from gross negligence or willful misconduct of the above-mentioned members.
2. The DTI, in cooperation with other agencies concerned, shall provide the Team with the following:
 - (1) Available data and information related to the Program,
 - (2) Counterpart personnel and support staff necessary for the Program,
 - (3) Suitable office space with necessary equipment and furniture, and
 - (4) Credentials or identification cards to the members of the Team.
3. To facilitate smooth conduct of the Program, the DTI shall make the necessary arrangement with other governmental and non-governmental organizations concerned for the following:

- (1) To secure the safety of the Team,
- (2) To permit the members of the Team to enter, leave and sojourn in the Philippines for the duration of their assignment therein,
- (3) To exempt the members of the Team from taxes, duties fees and other charges on equipment, machinery and other materials brought into the Philippines for the conduct of the Program,
- (4) To exempt the members of the Team from income taxes and charges of any kind imposed on or in connection with any emoluments or allowances paid to the members of the Team for their services in connection with the implementation of the Program,
- (5) To provide the necessary facilities for the Team for remittance as well as utilization of the funds introduced into the Philippines from Japan in connection with the implementation of the Program,
- (6) To secure permission for entry into private properties or restricted areas for the conduct of the Program,
- (7) To secure permission for the Team to take all data and documents related to the Program out of the Philippines to Japan by the Team, and
- (8) To provide medical services as needed. Their expenses will be charged to the members of the Team.

VII. UNDERTAKING OF THE GOVERNMENT OF JAPAN

In accordance with the Notes Verbale exchanged between the GOJ and GOP, the GOJ, through JICA, shall take the following measures for the implementation of the Program:

- (1) To dispatch, at its own expense, the Team to the Philippines, and
- (2) To help build capacity of the Philippine counterpart personnel in the course of the Study.

VIII. OTHERS

JICA and DTI shall consult with each other in respect of any matter that may arise from or in connection with the Project.

24 May, 2002

Dear Angelo S. M. Benedictos, Director III
Bureau of International Trade Relations, DTI

Issues to be Clarified for Facilitating the Capacity Building Program on
the Implementation of the WTO Agreements in the Republic of the Philippines

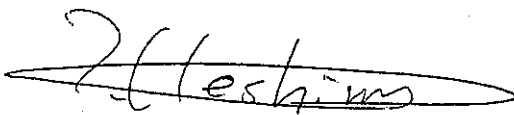
As a result of the series of meetings between the Government of the Philippines and the Preparatory Study Team of JICA, for the sake of facilitating forthcoming Capacity Building Program on the Implementation of the WTO Agreements, it was agreed that following information shall be forwarded from DTI-BITR of the GOP to JICA Philippines Office by the end of June:

- 1) Overall issues (by BITR)
 - possible terms either in late November or early December for accepting the first visit of the Technical Assistant Team
 - purpose, possible participants and issues to be covered in the proposed kicked-off seminar during the first visit of the Technical Assistant Team
- 2) Cooperation Component for GATS
 - prioritized sector(s) to be dealt with during the Workshop (by NEDA)
 - possible issues to be covered by the Workshop on telecommunications (by DOTC)
- 3) Cooperation Component for SG/AD
 - precise needs on information sharing among BIS, BOC, TC and DA (by BIS)
- 4) Cooperation Component for TBT
 - list of organizations and authorities who are responsible for the technical regulations, with the priorities in the context of TBT Agreement (by BPS)

(note)

- JICA will inform BITR of necessary office space and facilities for accommodating for the Technical Assistant Team
- Focal point of JICA Philippines Office is Mr. Susumu Katsumata, Assistant Resident Representative.

(e-mail: katsumata@jica.org.ph, tel: 893-3081, fax: 816-4222)



Mr. Takumi Ueshima

Team Leader, JICA Preparatory Study Team