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SENATE

P.S. RES. NO. 1510

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Prepared by the Committee on Foreign Relations

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RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE  
AGREEMENT ON TECHNICAL COOPERATION BETWEEN THE  
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND  
THE GOVERNMENT OF JAPAN

WHEREAS, the Constitution, Article 7, Section 21, states that "No treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate";

WHEREAS, the Agreement on Technical Cooperation Between the Government of the Republic of the Philippines and the Government of Japan was signed on 4 April 2006 in Tokyo, Japan;

WHEREAS, since 1966, Japan has been extending technical cooperation programs to the Philippines; as of 2007, Japan's technical cooperation to the country, mostly through Japan International Cooperation Agency (JICA), has reached US\$1.87 billion.

WHEREAS, the existing technical cooperation programs are covered by the Exchange of Notes between the Government of the Republic of the Philippines and the Government of Japan concerning the dispatch of JOVC signed on 15 February 1966, and following accreditation through the Philippine National Volunteer Service Agency (PNVSCA);

WHEREAS, under the current practice, the Philippines and Japan sign and exchange separate Notes Verbale for each and every technical cooperation project. Each Note Verbale would always have to spell out provisions on tax exemptions, immunities and privileges. Thus, this Agreement will provide a uniform and standard framework for all future technical cooperation programs between the Philippines and Japan;

WHEREAS, the Agreement provides, among other, for the following:

1. Forms of technical cooperation that will be carried out by JICA at its own expense in accordance with the laws and regulations in force in Japan and this Agreement such as:
  - a. Technical training to Philippine nationals in Japan;
  - b. Dispatching experts to the Philippines;
  - c. Dispatching Japanese missions to the Philippines to conduct surveys of economic and social development projects of the Philippines;
  - d. Dispatching Japanese volunteers with a wide range of technical skills and abundant experience or the Senior Volunteers to the Philippines;

- e. Providing the Philippines with equipment, machinery and materials; and
  - f. Providing the Philippines with other forms of technical cooperation as may be decided upon by mutual consent between the two Governments.
2. Forms of technical cooperation that will be carried out by JICA, sharing its expense with the Philippine Government, in accordance with the laws and regulations in force in the Philippines and in Japan and with the arrangements in this Agreement:
    - a. Receiving nationals of developing countries for technical raining in the Philippines; and
    - b. Providing Philippine nationals with technical training in the Philippines.
  3. Exemption of Experts, members of the Mission, the Senior Volunteers and their families from certain taxes, fiscal charges, fees and other such privileges, exemptions and benefits as are no less favorable than those accorded to experts, members of missions, senior volunteers and their families of any third country or of any international organization performing a similar mission in the Philippines;
  4. Provision of local staff and Philippine counterparts to the Experts, the Missions and the Senior Volunteers; and
  5. Philippine Government's assumption of claims against the Experts, members of the Missions, the Senior Volunteers and the Japan Overseas Cooperation Volunteers (JOCV) resulting from or occurring in the course of the performance of their duties except arising from their gross negligence or willful misconduct.

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 8 October 2009, the following agencies endorsed the concurrence in the ratification of the Agreement on Technical Cooperation Between the Government of the Republic of the Philippines and the Government of Japan:

1. Department of Foreign Affairs (DFA)
2. Department of Justice (DOJ)
3. National Economic Development Authority (NEDA)
4. Bureau of Internal Revenue (BIR)
5. Philippine National Volunteer Service Coordinating Agency (PNVSCA)

WHEREAS, in the instrument of ratification dated 19 October 2006, President Gloria Macapagal Arroyo ratified and confirmed each and every Article and Clause of the Agreement;

NOW, THEREFORE, be it resolved that the Senate of the Philippines concur as it hereby concurs in the ratification of the Agreement on Technical Cooperation Between the Government of the Republic of the Philippines and the Government of Japan.

Adopted,

  
MIRIAM DEFENSOR SANTIAGO