

AGREEMENT ON TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE REPUBLIC OF BULGARIA

The Government of Japan and the Government of the Republic of Bulgaria,
Desiring to strengthen further the friendly relations existing between
the two countries by the promotion of technical cooperation, and

Considering mutual benefits derived from promoting the economic and
social development of their respective countries,

Have agreed as follows:

ARTICLE I

The two Governments shall endeavor to promote technical cooperation
between the two countries.

ARTICLE II

Separate arrangements which govern specific technical cooperation
programs carried out under this Agreement shall be agreed upon between the
competent authorities of the two Governments. The competent authority of
the Government of Japan is the Ministry of Foreign Affairs, and the
competent authority of the Government of the Republic of Bulgaria is the
Ministry of Economy.

ARTICLE III

The following forms of technical cooperation will be carried out by the
Japan International Cooperation Agency (hereinafter referred to as "JICA")

at its own expense in accordance with the laws and regulations in force in Japan as well as with the arrangements referred to in Article II:

- (a) providing technical training to Bulgarian nationals;
- (b) dispatching experts (hereinafter referred to as the "Experts") to the Republic of Bulgaria;
- (c) dispatching Japanese volunteers with a wide range of technical skills and abundant experience (hereinafter referred to as the "Senior Volunteers") to the Republic of Bulgaria;
- (d) dispatching Japanese missions (hereinafter referred to as the "Missions") to the Republic of Bulgaria to conduct surveys of economic and social development projects of the Republic of Bulgaria;
- (e) dispatching Japan Overseas Cooperation Volunteers (hereinafter referred to as "JOCV") to the Republic of Bulgaria;
- (f) providing the Government of the Republic of Bulgaria with equipment, machinery and materials; and
- (g) providing the Government of the Republic of Bulgaria with other forms of technical cooperation as may be decided upon by mutual consent between the two Governments.

ARTICLE IV

The Government of the Republic of Bulgaria shall ensure that the techniques and knowledge acquired by Bulgarian nationals as well as the equipment, machinery and materials provided as a result of the Japanese technical cooperation as set forth in Article III contribute to the economic

and social development of the Republic of Bulgaria, and are not utilized for military purposes.

ARTICLE V

In case JICA dispatches the Experts and the Missions, the Government of the Republic of Bulgaria shall take at its own expense the following measures:

- (a) to provide suitable office and other facilities including telephone and facsimile services necessary for the performance of the duties of the Experts and the Missions as well as to bear the expenses for their operation and maintenance;
- (b) to provide the local staff (including adequate interpreters, if necessary) as well as Bulgarian counterparts to the Experts and the Missions necessary for the performance of the duties of the Experts and the Missions;
- (c) to bear expenses of the Experts, whenever local conditions and financial possibilities of competent authorities of the Government of the Republic of Bulgaria permit, for:
 - (i) daily transportation to and from their place of work;
 - (ii) their official travels within the Republic of Bulgaria; and
 - (iii) their official correspondence;
- (d) to provide the convenience for acquisition of appropriate housing accommodation for the Experts and their families; and
- (e) to provide the convenience for receiving medical care and facilities for the Experts and their families as well as members of the Missions.

ARTICLE VI

1. (1) The Government of the Republic of Bulgaria shall:

(a) exempt the Experts and members of the Missions from taxes including income tax and fiscal charges imposed on or in connection with salaries and any allowances remitted to them from abroad in connection with their performance under the relevant program or project;

(b) exempt the Experts and their families as well as members of the Missions from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining guarantee bond for due and payable state receivables, in respect of the importation of:

(i) luggage;

(ii) personal effects, household effects and consumer goods; and

(iii) one motor vehicle per Expert assigned to stay in the Republic of Bulgaria; and

(c) exempt the Experts who do not import any motor vehicle into the Republic of Bulgaria from taxes including value added tax and fiscal charges in respect of the local purchase of one motor vehicle per Expert.

(2) The motor vehicles mentioned in sub - paragraph (1) shall be subject to payment of taxes including customs duties if they are subsequently sold or transferred within the Republic of Bulgaria to individuals or organizations not entitled to exemption from such taxes or similar privileges.

2. The Government of the Republic of Bulgaria shall take the following measures:

(a) to permit the Experts and their families as well as members of the Missions to enter, leave and sojourn in the Republic of Bulgaria for the duration of their assignment therein, offer them the convenience for procedures of alien registration requirements;

(b) to issue identification cards to the Experts and members of the Missions to secure the cooperation of all governmental organizations necessary for the performance of the duties of the Experts and the Missions;

(c) to offer the Experts and their families the convenience for acquisition of car driving license; and

(d) to carry out other measures necessary for the performance of the duties of the Experts and the Missions.

3. The Government of the Republic of Bulgaria shall accord the Experts and their families as well as members of the Missions such privileges, exemptions and benefits as are no less favorable than those accorded to experts and their families as well as members of missions of any third country or of any international organization performing a similar mission in the Republic of Bulgaria.

ARTICLE VII

The Government of the Republic of Bulgaria shall bear claims, if any arises, against the Experts and members of the Missions resulting from, occurring in the course of, or otherwise connected with, the performance of their duties, except when the two Governments agree that such claims arise from gross negligence or willful misconduct on the part of the Experts or members of the Missions. This Article shall not be construed as exempting the Experts and members of the Missions from criminal liability.

ARTICLE VIII

In case JICA dispatches the Senior Volunteers, the Government of the Republic of Bulgaria shall accord the Senior Volunteers and their families the same privileges, exemptions and benefits as accorded to the Experts and their families under Article V, VI and VII.

ARTICLE IX

1. In case JICA dispatches JOCV, the Government of the Republic of Bulgaria shall accord the JOCV and Coordinators of the JOCV privileges, exemptions and benefits on the basis of Exchange of Notes between the Government of Japan and the Government of the Republic of Bulgaria concerning the dispatch of the JOCV signed on October 13, 1992.
2. In addition to the privileges, exemptions and benefits specified in paragraph 1, the Government of the Republic of Bulgaria shall exempt JOCV and Coordinators of the JOCV from taxes including value added tax and fiscal charges in respect of local purchase of such equipment, machinery and materials as may be necessary for the performance of their functions.

ARTICLE X

1. (1) In case JICA provides the Government of the Republic of Bulgaria with equipment, machinery and materials, the Government of the Republic of Bulgaria shall exempt such equipment, machinery and materials from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining guarantee bond for due and payable state receivables, in respect of the importation. The equipment, machinery and materials mentioned above shall become the property of the Government of the Republic of Bulgaria upon being delivered c. i. f. at the port of the disembarkation to competent authorities of the Government of the Republic of Bulgaria.
- (2) In case JICA provides the Government of the Republic of Bulgaria with equipment, machinery and materials, the Government of the Republic of Bulgaria shall exempt such equipment, machinery and materials from taxes including value added tax and fiscal charges in respect of the local purchase.
- (3) The equipment, machinery and materials mentioned in sub - paragraph (1) and (2) shall be utilized for the purpose specified in the arrangements referred to in Article II of this Agreement unless otherwise agreed upon between the competent authorities of the two Governments.
- (4) The expenses for the transportation within the Republic of Bulgaria of the equipment, machinery and materials mentioned in sub - paragraph

- (1) and (2) and the expenses for their replacement, maintenance and repair shall be borne by the Government of the Republic of Bulgaria.
2. (1) The equipment, machinery and materials, prepared by JICA, necessary for the performance of the duties of the Experts, members of the Missions and the Senior Volunteers shall remain the property of JICA unless otherwise agreed upon between the competent authorities of the two Governments.
- (2) The Government of the Republic of Bulgaria shall exempt the Experts, members of the Missions and the Senior Volunteers from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining guarantee bond for due and payable state receivables, in respect of the importation of the equipment, machinery and materials mentioned in sub - paragraph (1).
- (3) The Government of the Republic of Bulgaria shall exempt the Experts, members of the Missions and the Senior Volunteers from taxes including value added tax and fiscal charges in respect of the local purchase of the equipment, machinery and materials mentioned in sub - paragraph (1).

ARTICLE XI

The Government of the Republic of Bulgaria shall maintain close contact, through organizations designated by it, with the Experts, members of the Missions and the Senior Volunteers.

ARTICLE XII

1. The Government of the Republic of Bulgaria shall admit JICA to open and maintain an overseas office of JICA in the Republic of Bulgaria

(hereinafter referred to as the "Office") and shall accept a resident representative and his/her staff to be dispatched from Japan (hereinafter referred to as the "Representative" and the "Staff" respectively) who perform the duties to be assigned to them by JICA relative to the technical cooperation programs under this Agreement in the Republic of Bulgaria.

2. The Government of the Republic of Bulgaria shall accord the Representative, the Staff and their families as well as the Office the following privileges, exemptions and benefits:

(1) For the Representative, the Staff and their families;

(a) exemption from taxes including income tax and fiscal charges imposed on or in connection with salaries and any allowances remitted to the Representative and the Staff from abroad;

(b) exemption from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining guarantee bond for due and payable state receivables, in respect of the importation of:

(i) luggage;

(ii) personal effects, household effects and consumer goods; and

(iii) one motor vehicle per Representative and per Staff assigned to stay in the Republic of Bulgaria;

(c) exemption from taxes including value added tax and fiscal charges in respect of the local purchase of one motor vehicle per Representative and per Staff who do not import any motor vehicle into the Republic of Bulgaria;

(d) permission to enter, leave and sojourn in the Republic of Bulgaria for the duration of their assignment therein, offer of the convenience for procedures of alien registration requirements;

(e) issuance of identification cards; and

(f) offer of the convenience for acquisition of car driving license.

(2) For the Office;

(a) exemption from taxes including customs duties and fiscal charges, as well as from the requirements of obtaining guarantee bond for due and payable state receivables, in respect of the importation of the equipment, machinery, motor vehicles and materials necessary for activities of the Office;

(b) exemption from taxes including value added tax and fiscal charges in respect of the local purchase of the equipment, machinery, motor vehicles and materials necessary for the functions of the Office; and

(c) exemption from taxes including income tax and fiscal charges imposed on or in connection with office expenses remitted from abroad.

3. The motor vehicles mentioned in paragraph 2 shall be subject to payment of taxes including customs duties if they are subsequently sold or transferred within the Republic of Bulgaria to individuals or organizations not entitled to exemption from such taxes or similar privileges.

4. The Government of the Republic of Bulgaria shall accord the Representative, the Staff and their families as well as the Office such privileges, exemptions and benefits as are no less favorable than those accorded to representatives, staff and their families as well as offices

of any third country or of any international organization performing a similar mission in the Republic of Bulgaria.

ARTICLE XIII

The Government of the Republic of Bulgaria shall take necessary measures to ensure security of the Experts and their families, members of the Missions, the Senior Volunteers and their families, the Representative, the Staff and their families, JOCV and Coordinators of the JOCV and their families staying in the Republic of Bulgaria.

ARTICLE XIV

The Government of Japan and the Government of the Republic of Bulgaria shall consult with each other in respect of any matter that may arise from or in connection with this Agreement.

ARTICLE XV

1. The provisions of this Agreement shall also apply, after the entering into force of this Agreement, to the specific technical cooperation programs which have commenced prior to the entering into force of this Agreement, and to the Experts and their families, members of the Missions, the Senior Volunteers and their families, the Representative, the Staff and their families, JOCV and Coordinators of the JOCV and their families staying in the Republic of Bulgaria as well as to the equipment, machinery and materials related to the said programs.
2. The termination of this Agreement shall neither affect the specific technical cooperation programs being carried out until the date of the

completion of the said programs, unless otherwise decided upon by mutual consent between the two Governments, nor affect the privileges, exemptions and benefits accorded to the Experts and their families, members of the Missions, the Senior Volunteers and their families, the Representative, the Staff and their families, JOCV and Coordinators of the JOCV and their families staying in the Republic of Bulgaria for the performance of their duties in connection with the said programs.

ARTICLE XVI

1. This Agreement shall enter into force on the date of receipt by the Government of Japan of the written notification from the Government of the Republic of Bulgaria of the completion of necessary domestic procedures for the entry into force of this Agreement.
2. This Agreement shall remain in force for a period of one year, and shall be automatically renewed every year for another period of one year each, unless either Government has given to the other Government at least six months' written advance notice of its intention to terminate the Agreement.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Agreement.

DONE in duplicate in English at Tokyo on December 15, 2004.

For the Government of
Japan:

For the Government of the Republic of
Bulgaria: