**ÎNŢE LEGERE,**

**întocm ită prin schimb de note, cu privire la modificarea Acordului de grant, întocmit prin schimb de note, dintre Guvern ul Republicii Moldova şi Guvernul Japoniei privin d implementa rea Proiectului „Agricultura conserva tivă - dezvolta rea unui sistem du rabil de gestiona re a solurilor în Republica Moldova", semnat la Chişină u la 7 martie 2017**

**Chişinău, 29 iunie 2018**



MINISTRY OF FOREIGN AFFAIRS

AND EUROPEAN INTEGRATION

OF THE REPUBLIC OF MOLDOVA

Nr. \_\_\_7463\_\_\_\_\_

Chisinau, 29 June 2018

H.E. Mr. Masanobu YOSHII

Ambassador Extraordinary

and Plenipotentiary of Japan

to the Republic of Moldova

Excellency,

With reference to the Exchange of Notes between the Government of Japan and the Government of the Republic of Moldova, signed on March 7, 2017 concerning Japanese economic cooperation to be extended with a view to promoting the economic and social development of the Republic of Moldova (hereinafter referred to as “the Exchange of Notes”) and the Agreed Minutes on Procedural Details between the representatives of the Government of Japan and the Government of the Republic of Moldova, signed on March 7, 2017 (hereinafter referred to as “the Agreed Minutes”), I have the honour to confirm, on behalf of the Government of the Republic of Moldova, the following understanding recently reached between the representatives of the Government of the Republic of Moldova and of the Government of Japan:

1. The following shall be added immediately after paragraph 5 of the Exchange of Notes:

“5bis. (1) The Recipient or its designated authority shall deposit in Moldovan currency all the proceeds from sales of the Products in an account to be opened in its name in Moldova Agroindbank or a bank to be agreed upon between the authorities concerned of the two Governments. The amount of the proceeds to be deposited shall not be less than a half of the total Yen disbursement paid with respect to the purchase of the Products, unless otherwise agreed between the authorities concerned of the two Governments. The deposit shall be made within the period of three years from the date of entry into force of the present understanding, unless otherwise agreed between the authorities concerned of the two Governments.

(2) The fund thus deposited shall be utilized with a view to promoting economic and social development in the country of the Recipient.

(3) The authorities concerned of the two Governments shall consult with each other about the detail of the utilization of the fund deposited prior to the utilization.

(4) The Recipient shall present to the Government of Japan a report prepared in a written form acceptable to the Government of Japan on the utilization of the fund deposited without delay when the fund deposited is completely used in accordance with the provisions of sub-paragraphs (2) and (3) above.”

2. The following shall be added immediately after paragraph 5 of the Agreed Minutes:

“6. Moldovan Currency Deposit

(1) With respect to sub-paragraph (1) of paragraph 6 of the Exchange of Notes, the Agent shall compute the amount required to be deposited in Moldovan currency by the Recipient. Unless otherwise agreed between the authorities concerned of the two Governments, it shall be calculated based on the F.O.B. price and the average exchange rate of March 7, 2017 which the International Monetary Fund (IMF) is notified of.

(2) The Recipient shall ensure that the Agent will receive monthly statements of the account referred to in sub-paragraph (1) of paragraph 6 of the Exchange of Notes.

(3) Unless otherwise agreed upon between the two Governments, the Agent shall, for a period of five years from the date of entry into force of the Exchange of Notes, make monthly reports for the Committee members concerning the amount required to be deposited and the amount actually deposited in Moldovan currency.

 (4) The Recipient shall directly inform the Government of Japan of the situation of the Moldovan currency deposit upon request by the Government of Japan.

(5) The Recipient shall ensure that an external audit will be conducted in order to ensure proper management and use of the Moldovan currency deposit, and shall submit the result of the audit to the Government of Japan upon request by the Government of Japan.

(6) With respect to sub-paragraph (3) of paragraph 6 of the Exchange of Notes, the Recipient shall make “the Utilization Programme” of the deposited fund which shall include the names of specific projects, their details and the amount of money to be allocated. “The Utilization Programme” shall be presented to the Government of Japan for consultation.”

3. Paragraph 2 of Appendix II of the Agreed Minutes shall be replaced by following:

“2. Ensuring that the Recipient and the end-users fully understand the procedures to be employed, including the need for the Moldovan currency deposit, where necessary”.

4. The following shall be added immediately after paragraph 12 of Appendix II of the Agreed Minutes:

“13. Submission to the Committee members of monthly reports concerning the Moldovan currency deposit referred to in sub-paragraph (3) of paragraph 6 of the Agreed Minutes on Procedural Details, detailing the total amount required to be deposited, the amount actually deposited and its ratio”.

5. Paragraph 4 of Appendix V of the Agreed Minutes shall be replaced by the following:

“4. To exchange views on publicity related to the utilization of the grant and its accrued interest and of the fund deposited in Moldovan currency”.

6. The following shall be added immediately after paragraph 3 of Appendix V of the Agreed Minutes:

“3bis. To assist in formulating a plan on the deposit in Moldovan currency.

 3ter. To exchange views on the effective use of the fund deposited in Moldovan currency”.

I have further the honour to propose that this Note and Your Excellency’s Note in reply confirming on behalf of the Government of Japan the foregoing understanding shall constitute an agreement between the two Governments, which shall become effective on the date of receipt by the Government of Japan of the written notification from the Government of the Republic of Moldova of the completion of necessary domestic procedures for the entry into force of such agreement.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

Tudor ULIANOVSCHI

Minister of Foreign Affairs

and European Integration

of the Republic of Moldova

Embassy of Japan

CHISINAU

Chisinau, June 29, 2018

H.E. Mr. Tudor ULIANOVSCHI

Minister of Foreign Affairs

and European Integration

of the Republic of Moldova

Excellency,

I have the honour to acknowledge the receipt of Your Excellency’s Note of today’s date, which reads as follows:

“Excellency,

With reference to the Exchange of Notes between the Government of Japan and the Government of the Republic of Moldova, signed on March 7, 2017 concerning Japanese economic cooperation to be extended with a view to promoting the economic and social development of the Republic of Moldova (hereinafter referred to as “the Exchange of Notes”) and the Agreed Minutes on Procedural Details between the representatives of the Government of Japan and the Government of the Republic of Moldova, signed on March 7, 2017 (hereinafter referred to as “the Agreed Minutes”), I have the honour to confirm, on behalf of the Government of the Republic of Moldova, the following understanding recently reached between the representatives of the Government of the Republic of Moldova and of the Government of Japan:

1. The following shall be added immediately after paragraph 5 of the Exchange of Notes:

“5bis. (1) The Recipient or its designated authority shall deposit in Moldovan currency all the proceeds from sales of the Products in an account to be opened in its name in Moldova Agroindbank or a bank to be agreed upon between the authorities concerned of the two Governments. The amount of the proceeds to be deposited shall not be less than a half of the total Yen disbursement paid with respect to the purchase of the Products, unless otherwise agreed between the authorities concerned of the two Governments. The deposit shall be made within the period of three years from the date of entry into force of the present understanding, unless otherwise agreed between the authorities concerned of the two Governments.

(2) The fund thus deposited shall be utilized with a view to promoting economic and social development in the country of the Recipient.

(3) The authorities concerned of the two Governments shall consult with each other about the detail of the utilization of the fund deposited prior to the utilization.

(4) The Recipient shall present to the Government of Japan a report prepared in a written form acceptable to the Government of Japan on the utilization of the fund deposited without delay when the fund deposited is completely used in accordance with the provisions of sub-paragraphs (2) and (3) above.”

2. The following shall be added immediately after paragraph 5 of the Agreed Minutes:

“6. Moldovan Currency Deposit

(1) With respect to sub-paragraph (1) of paragraph 6 of the Exchange of Notes, the Agent shall compute the amount required to be deposited in Moldovan currency by the Recipient. Unless otherwise agreed between the authorities concerned of the two Governments, it shall be calculated based on the F.O.B. price and the average exchange rate of March 7, 2017 which the International Monetary Fund (IMF) is notified of.

(2) The Recipient shall ensure that the Agent will receive monthly statements of the account referred to in sub-paragraph (1) of paragraph 6 of the Exchange of Notes.

(3) Unless otherwise agreed upon between the two Governments, the Agent shall, for a period of five years from the date of entry into force of the Exchange of Notes, make monthly reports for the Committee members concerning the amount required to be deposited and the amount actually deposited in Moldovan currency.

 (4) The Recipient shall directly inform the Government of Japan of the situation of the Moldovan currency deposit upon request by the Government of Japan.

(5) The Recipient shall ensure that an external audit will be conducted in order to ensure proper management and use of the Moldovan currency deposit, and shall submit the result of the audit to the Government of Japan upon request by the Government of Japan.

(6) With respect to sub-paragraph (3) of paragraph 6 of the Exchange of Notes, the Recipient shall make “the Utilization Programme” of the deposited fund which shall include the names of specific projects, their details and the amount of money to be allocated. “The Utilization Programme” shall be presented to the Government of Japan for consultation.”

3. Paragraph 2 of Appendix II of the Agreed Minutes shall be replaced by following:

“2. Ensuring that the Recipient and the end-users fully understand the procedures to be employed, including the need for the Moldovan currency deposit, where necessary”.

4. The following shall be added immediately after paragraph 12 of Appendix II of the Agreed Minutes:

“13. Submission to the Committee members of monthly reports concerning the Moldovan currency deposit referred to in sub-paragraph (3) of paragraph 6 of the Agreed Minutes on Procedural Details, detailing the total amount required to be deposited, the amount actually deposited and its ratio”.

5. Paragraph 4 of Appendix V of the Agreed Minutes shall be replaced by the following:

“4. To exchange views on publicity related to the utilization of the grant and its accrued interest and of the fund deposited in Moldovan currency”.

6. The following shall be added immediately after paragraph 3 of Appendix V of the Agreed Minutes:

“3bis. To assist in formulating a plan on the deposit in Moldovan currency.

 3ter. To exchange views on the effective use of the fund deposited in Moldovan currency”.

I have further the honour to propose that this Note and Your Excellency’s Note in reply confirming on behalf of the Government of Japan the foregoing understanding shall constitute an agreement between the two Governments, which shall become effective on the date of receipt by the Government of Japan of the written notification from the Government of the Republic of Moldova of the completion of necessary domestic procedures for the entry into force of such agreement.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.”

I have further the honour to confirm on behalf of the Government of Japan the foregoing understanding and to agree that Your Excellency’s Note and this Note in reply shall constitute an agreement between the two Governments, which shall become effective on the date of receipt by the Government of Japan of the written notification from the Government of the Republic of Moldova of the completion of necessary domestic procedures for the entry into force of such agreement.

I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.

 Masanobu YOSHII

 Ambassador Extraordinary

 and Plenipotentiary of Japan

 to the Republic of Moldova