

IMPLEMENTING ARRANGEMENT No. 2

Title: **Develop and Conduct a Workshop on Natural Disaster Mitigation and Management** (hereinafter referred to as the "Project")

Section 1.0 Authority:

This is an Implementing Arrangement (hereinafter referred to as "Annex") to the Memorandum of Understanding ("MOU") signed at Bangkok on November 18th, 2003, between the Geo-informatics and Space Technology Development Agency, Ministry of Science and Technology, Kingdom of Thailand (hereinafter referred to as "GISTDA"), and the Earth Sciences Sector, Department of Natural Resources, Canada (hereinafter referred to as "ESS"), hereinafter jointly referred to as the "Parties". This Annex is developed in accordance with Article Two of the MOU.

Section 2.0 Project Coordination:

For ESS:

<i>Responsible Senior Manager</i>	<i>Administrative Contact</i>
Mr. Martin P. Aubé Director, International Division Policy and Coordination Branch Earth Sciences Sector Natural Resources Canada Correspondence: 615 Booth Street Ottawa, ON Canada K1A 0E9 Tel: + 1 + 613 + 996-7643 Fax: + 1 + 613 + 995-8737 maube@nrca.gc.ca	Mr. Ghislain Robichaud Manager, International Relations Policy and Coordination Branch Earth Sciences Sector Natural Resources Canada Correspondence: 615 Booth Street Ottawa, ON Canada K1A 0E9 Tel: + 1 + 613 + 944-6367 Fax: + 1 + 613 + 995-8737 grobicha@nrca.gc.ca

For the GISTDA:

<i>Responsible Senior Manager</i>	<i>Administrative Contact</i>
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Section 3.0 Background:

In the aftermath of the tsunami that struck the Indian Ocean countries on December 26, 2004, there is increased awareness amongst government officials and representatives of the civil society that modern technology is needed to protect the population against the many natural hazards that so frequently hit this region with devastating consequences. Whether the tragedies are caused by earthquakes, storms, floods, volcanic activity, landslides, coastal erosion, wild fires or other natural phenomena, there is always technology that can help, if not to prevent the occurrence itself, certainly to reduce its impact and expedite the recovery process.

Immediately following the tsunami, the Parties being both scientific organisations with technologies that can contribute to reducing the impacts of these destructible forces expressed a desire to increase their cooperation under their existing MOU to 1) enhance their scientific knowledge 2) to increase the awareness of the benefits of technologies in disaster management and mitigation 3) to promote the utilization of technologies in disaster management and mitigation plans.

In order to achieve these goals, the Parties realized that it would be imperative to bring other participants in the discussion that have an interest in disaster mitigation and management and to involve a wide spectrum of expertise where the specific knowledge about natural disasters and the natural forces behind them reside. The Parties also agreed that it would be essential to involve the private sector as key contributors capable of providing innovative solutions and technologies.

To initiate this dialogue, the Parties has agreed as a initial step to hold a general workshop involving different government organisations, NGOs, academia and private sector participants to highlight both Canada's and Thailand's experiences.

Section 4.0 Work Plan:

The goals of this Project are as follows:

1. To raise the general awareness about the heavy social and economic impact of natural disasters.
2. To introduce Thailand participants to Canadian technologies and expertise that can help reduce the impact of natural disasters and expedite the recovery process.
3. To provide the Canadian participants in particular and all the participants in general with an understanding of:
 - the type of natural disasters encountered in Thailand;
 - the role and mandate of different organisations involved in natural disasters management and mitigation; and
 - Thailand's current and future plans with regards to the development of policy and the use of technologies in order to mitigate the impact of natural disasters.
4. To determine the interest in furthering the dialogue regarding the Canadian technologies and expertise in disaster management.
5. To identify further potential collaboration in regards to industry and government concerning opportunities in mitigating natural disasters.

Section 5.0 Financial Arrangements:

- Unless otherwise indicated in this Annex, both Parties (as well as those other Canadian participants identified in "Appendix A") will be responsible for their own expenses incurred as a result of this Project.
- ESS will cover the costs relating to local workshop organization in the Kingdom of Thailand (including workshop facilities, hand-out materials, and audio-visual services).
- Costs for "Hospitality Events" will be borne by GISTDA and ESS as identified in "Appendix A".
- No cost incurred by one Party shall be assumed by the other Party unless otherwise agreed to in writing.

Section 6.0 Intellectual Property:

The Parties shall retain ownership of their existing Intellectual Property that they bring to the Project. For the purposes of this Project, Intellectual Property refers to all rights in any information including, without limitation, data, techniques, methods, processes, know-how, inventions, designs, formulae, photographs, drawings, plans, specifications, reports, studies, technical and procedural manuals and computer programs, and all patents, copyrights, trademarks, and industrial designs arising therefrom.

Section 7.0 Title to Property:

Any property or equipment of whatever nature or kind furnished by any Party in connection with work under this Project is and will remain the property of the Party furnishing such property or equipment.

Section 8.0 Indemnification and Liability:

- Both Parties shall indemnify and save harmless each other and their Ministers, officers, employees and agents from and against all claims, demands, losses, costs including lawyers fees, damages, actions, suits or proceedings, that are in any manner based upon, arising out of, or attributable to any acts or conduct of their employees and agents.
- The services provided by the Parties are provided on an "as is" basis and neither Party makes any guarantees, representations or warranties respecting these services, either expressed or implied, arising by law or otherwise, including but not limited to, effectiveness, completeness, accuracy, or fitness for a particular purpose.
- Neither Party shall be liable in any way for loss of profits or contracts, or any other consequential loss of any kind relating to the Project.

Section 9.0 Dispute Resolution:

Any disputes regarding the interpretation or implementation of this Annex will be resolved only by consultation among the Parties and will not be referred to a national tribunal or other third party for settlement.

Section 10.0 Duration and Termination:

- This Annex will remain in effect until March 31st, 2006. It may be amended at any time with the mutual written consent of the Parties and may be terminated immediately upon the written consent of both Parties.
- Each Party shall immediately upon early termination, return the other Party's papers, materials, or other property held for the purpose of carrying out the Project.

Section 11.0 Responsible Authorities and Effective Date:

This Annex becomes effective upon the signing below by both designated responsible authorities representing the GISTDA and ESS.

Signed at Bangkok on the 29th day of September, 2005.

Representing ESS:

Representing GISTDA:

Irwin L. Itzkovitch
Assistant Deputy Minister
Earth Sciences Sector
Department of Natural Resources
Canada

Darasri Dowreang
Deputy Director
Geo-Informatics and Space Technology
Development Agency
Ministry of Science and Technology
Kingdom of Thailand