

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1997 Nr. 102

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de
Volksrepubliek Bangladesh inzake technische samenwerking;
Dacca, 19 mei 1977*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1977, 113.

C. VERTALING

Zie *Trb.* 1977, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35 en, laatstelijk, *Trb.* 1996, 335.

Het in rubriek J hieronder afgedrukte administratief akkoord behoeft ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring der Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1978, 35.

J. GEGEVENS

Zie *Trb.* 1980, 77, *Trb.* 1981, 228, *Trb.* 1987, 195, *Trb.* 1988, 163, *Trb.* 1989, 148, *Trb.* 1991, 23 en 190, *Trb.* 1993, 173, *Trb.* 1995, 120 en *Trb.* 1996, 180 en 335.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Dhaka op 12 december 1996 tussen de bevoegde Nederlandse en Bengaalse autoriteiten een administratief akkoord tot stand gekomen inzake een Proefproject op het gebied van het compartimenteren van polders. De tekst van het akkoord luidt als volgt:

Administrative Arrangement

The Netherlands Ambassador, acting on behalf of the Netherlands Minister for Development Cooperation who for the purpose of this Administrative Arrangement is the competent Netherlands Authority hereinafter referred to as "the Netherlands Party",

and

The Government of the People's Republic of Bangladesh, represented by the Economic Relations Division of the Ministry of Finance, being the competent Bangladesh Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Bangladesh Party",

Having regard to the provisions of Article I of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the People's Republic of Bangladesh signed at Dhaka on 19 May 1977, hereinafter referred to as "the Agreement",

Have entered into the following Administrative Arrangement:

Article I

The Project

1. The two parties shall jointly carry out a project, entitled "Compartmentalization Pilot Project (FAP-20)", hereinafter referred to as "the Project".

2. The short term objective of this project is to investigate the physical, social, environmental, institutional and economic feasibility and sustainability of the compartmentalization concept. The long term objective of the project is to enhance economic production, reduce poverty and achieve sustainable development for the population living in protected areas in Bangladesh.

3. The aforesaid cooperation between the two Parties is planned to last four years.

Article II

The contribution by the Netherlands Party

The Netherlands Party shall make the following (Technical Assistance) contribution to the Project:

the engagement of (a consortium of) consulting firms, hereinafter referred to as "the Consultant", who will assign a team of qualified expatriate experts, headed by the Team Leader;

financing of technical (expatriate and local) experts salaries, travel costs, transport, daily allowances, office costs, training programmes,

workshops, equipment and other direct costs;

all up to a maximum further total amount of NLG 7.928.225,-, including an amount of NLG 80.000,- for the execution of an evaluation at the end of 1999.

Article III

The contribution by the Bangladesh Party

The Bangladesh Party shall make the following contribution to the Project: financing of local staff salaries, office accommodations, acquisition of land, maintenance and management of infrastructural facilities, taxes and import duties; all up to an amount of approximately US\$ 6.34 mln.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Directorate General for International Cooperation of the Netherlands Ministry of Foreign Affairs or any body authorized to perform any functions at present exercised by the said Directorate as the Netherlands Executive Authority in charge of the Project.

The Netherlands Executive Authority shall be represented, in as far as the daily operations under the Project are concerned, by the Team Leader.

2. The Bangladesh Party shall appoint the Ministry of Water Resources as the Bangladesh Executive Authority in charge of the Project.

The Bangladesh Executive Authority shall be represented, in as far as the daily operations under the Project are concerned, by the Bangladesh Water Development Board and the Water Resources Planning Organisation (WARPO) through the Project Director to be appointed for that purpose.

Article V

Delegation

Each of the Executive Authorities shall be entitled to delegate under its own responsibility, partly or entirely its duties in connection with the Project to other authorities or organisations. In doing so, the Executive Authorities shall inform each other in writing of any such delegation and of the extent of the delegation.

Article VI

The Team Leader

1. The Netherlands Team Leader shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution.

2. The Team Leader shall act in close consultation with the Bangladesh Executive Authority and respect the operational instructions given by the said Authority to the Bangladesh personnel.

3. The Bangladesh Executive Authority shall provide the Team Leader with any information that may be considered necessary for the execution of the Project.

Article VII

The Plan of Operations

The Executive Authorities shall establish by common consent a Plan of Operations stating in detail the contribution of either Party, the number and duties of the advisers, their job descriptions, the duration of their stay abroad and a description of the equipment and materials to be made available.

The Plan of Operations shall include an itemized budget of the contribution of either Party, a time table and lists of equipment and materials to be supplied by either Party, and an Operations Priority Scheme.

Article VIII

Status of the Netherlands Staff

The personnel supplied by the Netherlands Party shall enjoy the privileges and immunities, mentioned in the Articles II and III of the Agreement.

Article IX

Equipment and Materials

1. The provisions of Article IV and V of the Agreement shall be applicable to the import and export of the equipment and materials provided by the Netherlands Party as well as to the status of the said equipment and materials.

2. Without prejudice to the payment by the Bangladesh Party or the Bangladesh recipient agency of the customs duties and taxes on the equipment and materials supplied by the Netherlands Party, those custom duties and taxes are due at the time of clearance from the port or airport of the equipment and materials.

The Netherlands Party is in no way under an obligation to pay the customs duties or taxes.

Article X

Reporting

The Team Leader and the Project Director shall submit a semi-annual report in English on the progress made in the execution of the Project to

both the Executive Authorities. On the termination of the Project the Team Leader and the Project Director shall submit a final report in English on all aspects of the work done in connection with the Project to all parties.

Article XI

Evaluation

The Executive Authorities shall have the Project evaluated in 1999.

Article XII

Settlement of disputes

Any dispute concerning the interpretation or implementation of this Administrative Arrangement which can not be settled in consultation between both Parties shall be referred to the respective Governments.

Article XIII

Entry into force and duration

This Administrative Arrangement shall enter into force, with retroactive effect to 1 June 1996, on the date of the signature by both Parties and shall expire at the end of the period mentioned in Article I, paragraph 3, of this Arrangement or on the date on which the Project has been completed in conformity with the provisions of this Arrangement and of the Project Document, whichever date is the later.

DONE at Dhaka on 12 December 1996 in two originals in the English language.

(sd.) R. A. VORNIS

R. A. Vornis
Ambassador of the
Kingdom of the Netherlands

For and on behalf of the Government of the People's Republic of Bangladesh,

(sd.) ABU SALEH

Abu Saleh
Joint Secretary ERD
Ministry of Finance

Het akkoord is ingevolge zijn artikel XIII op 12 december 1996 in werking getreden, met terugwerkende kracht vanaf 1 juni 1996.

Uitgegeven de zesde mei 1997.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO