

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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JAARGANG 2012 Nr. 217

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A. TITEL

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

B. TEKST

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

Voor de teksten van de verschillende administratieve akkoorden ter uitvoering van de Overeenkomst zie *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240 en de rubrieken J van de in rubriek J hieronder genoemde Tractatenbladen.

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Ter uitvoering van artikel I van de Overeenkomst is te Dhaka op 4 januari 2012 tussen de bevoegde Nederlandse en Bengaalse autoriteiten een administratief akkoord tot stand gekomen inzake het project „Char Development and Settlement Project IV (CDSP IV)”. De Engelse tekst van het akkoord luidt als volgt:

### **Administrative Arrangement**

The Minister for European Affairs and International Cooperation of the Kingdom of the Netherlands, being the competent Netherlands Authority for the purpose of this Administrative Arrangement, hereinafter referred to as “the Netherlands Party”, represented in this matter by the Ambassador of the Kingdom of the Netherlands in Dhaka,

and

The Economic Relations Division of the Ministry of Finance of the People’s Republic of Bangladesh, 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 Co-operation 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 "Char Development and Settlement Project IV", hereinafter referred to as "the Project";

2. The aim of this Project is to contribute to the coastal development in Bangladesh in the framework of Integrated Coastal Zone Management (ICZM) and to improve the economic and social situation of the people living in the char areas;

3. The aforesaid co-operation between the two Parties is planned to last six years from the date of signing this Administrative Arrangement by both the parties.

#### Article II

##### *(The contribution by the Netherlands Party)*

The Netherlands Party shall make the following (maximum) contributions to the Project:

- US Dollar 5.086.000,- of grant financing to be administered by the International Fund for Agricultural Development;
- Euro 10.756.151,- for Technical Assistance, through direct contracting by the Netherlands Party.

The Netherlands Party's contribution will become available on the condition that:

- The Bangladesh party shall have approved the consolidated Development Project Proforma/Proposal (DPP) for the entire Project, consisting of the DPPs of each of the Project Parties; and
- The Bangladesh Water Development Board (BWDB) and Local Government Engineering Department (LGED) shall have appointed the respective Project Directors and Project Accountants.

## Article III

*(The contribution by the Bangladesh Party)*

The Bangladesh Party shall make USD 15.600.000,- available to the Project.

## Article IV

*(The Executive Authorities)*

1. The Netherlands Party shall appoint the Embassy of the Kingdom of the Netherlands as the Netherlands Executive Authority in charge of the Project. The Netherlands Executive Authority shall be represented, as far as the daily operations of the Project are concerned, by the Leader of the Technical Assistance Team (being the Team Leader or in his absence the Deputy Team Leader, hereinafter referred to as “TL/DTL”);

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 of the Project are concerned, by the Project Director.

## 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 TL/DTL)*

1. The TL/DTL shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution;

2. The TL/DTL shall act in close consultation with the Bangladesh Executive Authority and shall respect the operational instructions given by the said Authority to the Bangladesh personnel;

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

#### Article VII

##### *(The Schedule of Operations)*

1. The Executive Authorities shall establish in common agreement a Schedule of Operations indicating in detail:

- the contribution of either Party;
- the number and duties of the staff appointed by each Party;
- their job-descriptions;
- the duration of their assignment;
- a time-table; a description of the equipment and materials to be made available.

2. The Schedule of Operations shall form an integral part of this Administrative Arrangement.

3. The Schedule of Operations may be amended in common agreement by the Executive Authorities.

#### 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 upon the transfer of the equipment and materials to the Bangladesh Party or Bangladesh recipient agency. The Netherlands Party is in no way under an obligation to pay the customs duties or taxes.

## Article X

*(Reporting)*

The TL/DTL and the Project Director shall submit to both Executive Authorities a n annual report in English. The first annual report on the progress made in the execution of the Project and on the expenditure incurred by both Parties will cover the period from 01 March 2011 till 30 June 2012; subsequent annual reports will follow the Bangladesh Fiscal Year, i.e. cover the period from 1 July till 30 June the next year. Approval or rejection of expenditures made from the Netherlands contribution is entirely and solely at the discretion of the Netherlands Executive Authority. On termination of the Project, the TL/DTL and the Project Director shall submit to all parties involved a final report in English on all aspects of the work done in connection with the Project.

## Article XI

*(Evaluation)*

The Executive Authorities shall have the Project evaluated through a joint mid-term review mission; the timing of this mission will be determined by both Executive Authorities and the International Fund for Agricultural Development (IFAD).

## Article XII

*(Settlement of disputes)*

Any dispute concerning the interpretation or implementation of this Administrative Arrangement, which cannot be settled in consultation between both Parties shall be referred to the respective Governments and shall be settled in a way to be decided upon by the latter.

## Article XIII

*(Entry into force and duration)*

This Administrative Arrangement shall enter into force on the day of signature by both Parties and shall expire at the end of the period mentioned in Article 1, 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 3<sup>rd</sup> January 2012 in two originals in the English language both texts being equally authentic.

*For and on behalf of the Minister for European Affairs and International Cooperation of the Kingdom of the Netherlands,*

ALPHONS HENNEKENS  
Ambassador  
Kingdom of the Netherlands  
Dhaka.  
Dated: 03/01/2012

*For and on behalf of the Government of the People's Republic of Bangladesh, the Economic Relations Division of the Ministry of Finance,*

IQBAL MAHMOOD  
Secretary, ERD  
Ministry of Finance.  
Dated: 04/01/2012

C. VERTALING

Zie *Trb.* 1977, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35, *Trb.* 1999, 151, *Trb.* 2001, 158, *Trb.* 2004, 171, *Trb.* 2006, 23 (herdruk) en *Trb.* 2011, 240.

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Het in rubriek B opgenomen administratief akkoord van 4 januari 2012 behoeft ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1978, 35, *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240 en voor de inwerkingtredingen van de administratieve akkoorden de rubrieken J van de in rubriek J hieronder genoemde Tractatenbladen.

In *Trb.* 2011, 240 is ten onrechte vermeld dat het administratief akkoord van 2 februari 2003 ingevolge punt 2 van de wijziging van 16 februari 2009 en punt 2 van de wijziging van 10 juni 2010 is verlengd

tot 31 januari 2010 respectievelijk 30 juni 2011. Beide verlengingen betreffen het administratief akkoord van 2 november 2003.

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De bepalingen van het administratief akkoord van 4 januari 2012 zijn ingevolge artikel XIII van het akkoord op 4 januari 2012 in werking getreden.

Wat betreft het Koninkrijk der Nederlanden, geldt het administratief akkoord alleen voor Nederland (het Europese deel).

De bepalingen van het administratief akkoord zullen ingevolge artikel I, derde lid, van het akkoord buiten werking treden op 4 januari 2018.

#### J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens zie *Trb.* 1980, 77, *Trb.* 1981, 228, *Trb.* 1987, 195, *Trb.* 1988, 163, *Trb.* 1989, 148, *Trb.* 1991, 23, *Trb.* 1991, 190, *Trb.* 1993, 173, *Trb.* 1995, 120, *Trb.* 1996, 180, *Trb.* 1996, 335, *Trb.* 1997, 102, *Trb.* 1997, 312, *Trb.* 1998, 213, *Trb.* 1999, 151, *Trb.* 2001, 158 en *Trb.* 2004, 171.

Uitgegeven de *negenentwintigste* november 2012.

*De Minister van Buitenlandse Zaken,*

F. C. G. M. TIMMERMANS