

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2013 Nr. 46

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 onderhavige Overeenkomst zie *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240 en de rubrieken J van de in rubriek J hieronder genoemde Tractatenbladen.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Dhaka op 20 februari 2013 tussen de bevoegde Nederlandse en Bengaalse autoriteiten een administratief akkoord tot stand gekomen inzake het project „Blue Gold”. De Engelse tekst van het akkoord luidt als volgt:

Administrative Arrangement

The Minister for Foreign Trade and Development 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, Bangladesh

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 program, entitled "Blue Gold", hereinafter referred to as "the Program";

2. The aim of the Program is to reduce poverty in the coastal area by enhancing the livelihood of the rural population, through more efficient water resources management and increased productivity of mainly crops, fishery and livestock in the polders and by empowering the communities to become the driving force for the development activities. It also aims to improve people's adaptation capacity to climate change impacts;

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 a maximum contribution of € 49,845,000 to the Program in the following manner:

- € 15,750,000 of grant financing to be administered by the Bangladesh Water Development Board (BWDB);
- € 995,000 of grant financing be administered by the Department of Agricultural Extension (DAE);
- € 33,100,000 for Technical Assistance, through direct contracting by the Netherlands Party including support to the activities related to Department of Cooperatives, Department of Fisheries and Department of Livestock Services.

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

- The Bangladesh party shall have approved the consolidated Development Project Proforma (DPP) for the entire Project,
- The Bangladesh Water Development Board (BWDB) shall have appointed the Program Coordinating Director and a Program Accountant.

Article III

(The contribution by the Bangladesh Party)

The Bangladesh Party shall make BangladeshTaka 785,508,000 available to the Program.

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 Program. The Netherlands Executive Authority shall be represented, as far as the daily operations of the Program 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 Program. The Bangladesh Executive Authority shall be represented, in as far as the daily operations of the Program are concerned, by the Program Coordinating 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 Program 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 Program.

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 Program Coordinating Director shall submit to both Executive Authorities an annual report in English. The first annual report on the progress made in the execution of the Program and on the expenditure incurred by both Parties will cover the period from start till 30 June 2013; subsequent annual reports will follow the Bangladesh Fiscal Year, i.e. cover the period from 1 July till 30 June the next year. The information on the TA budget expenditure will be shared with the Bangladesh Party. 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 Program, the TL/DTL and the Program Coordination Director shall submit to all parties involved a final report in English on all aspects of the work done in connection with the Program.

Article XI

(Evaluation)

The Executive Authorities shall have the Program evaluated through two joint Mid-Term Review missions; the timing and the ToR of this missions will be determined by both Executive Authorities.

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 I, paragraph 3, of this Arrangement or on the date on which the Program has been completed in conformity with the provisions of this Arrangement and of the Program Document, whichever date is the later.

DONE at Dhaka in two originals in the English language both texts being equally authentic.

*For and on behalf of the Minister for Foreign Trade and Development
Cooperation of the Kingdom of the Netherlands*

C.J.J. RICHTER
Chargé d'Affaires a.i.
Embassy of the Kingdom of the Netherlands
Dhaka

Dated: 20 - FEB - 2013

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

ABUL MANSUR MD. FAIZULLAH
Joint Secretary ERD
Ministry of Finance

Dated: 20/2/2013

C. VERTALING

Zie *Trb.* 177, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35, *Trb.* 1999, 151, *Trb.* 2001, 158, *Trb.* 2004, 171, *Trb.* 2006, 23 (herdruk) en *Trb.* 2011, 240 en *Trb.* 2012, 217.

Het in rubriek B hierboven geplaatste administratief akkoord van 20 februari 2013 behoeft ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmakingverdragen niet de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1978, 35, *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240, *Trb.* 2012, 217 en voor de inwerkingtredingen van de administratieve akkoorden de rubrieken J van de in rubriek J hieronder genoemde Tractatenblad.

De bepalingen van het administratief akkoord zijn ingevolge artikel XIII van het akkoord in werking getreden op 20 februari 2013.

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

De bepalingen van voornoemd akkoord zullen ingevolge artikel 1, derde lid, van het akkoord buiten werking treden op 20 februari 2019.

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.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat het administratief akkoord zal zijn bekendgemaakt in Nederland (het Europese deel) op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *twaalfde* maart 2013.

De Minister van Buitenlandse Zaken,

F.C.G.M. TIMMERMANS