

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1970 Nr. 88

A. TITEL

Overeenkomst tussen het Koninkrijk der Nederlanden en de Verenigde Republiek Tanzania inzake technische samenwerking; 's-Gravenhage, 27 april 1965

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1965, 74.

C. VERTALING

Zie *Trb.* 1965, 74.

D. GOEDKEURING

G. INWERKINGTREDING

Zie *Trb.* 1967, 27.

J. GEGEVENS

Zie *Trb.* 1967, 27 en *Trb.* 1969, 38.

De tekst van de Overeenkomst, alsmede een vertaling in het Frans, is afgedrukt in „Recueil des Traités” der Verenigde Naties, deel 594, blz. 123 e.v.

De ter aanvulling van de Overeenkomst op 26 oktober en 25 november 1968 te Dar es Salaam tussen de Nederlandse en de Tanzaniaanse Regering gewisselde nota's (tekst in *Trb.* 1969, 38, rubriek J) zijn in overeenstemming met artikel 102 van het Handvest der Verenigde Naties op 22 juli 1969 geregistreerd bij het Secretariaat der Verenigde Naties onder nr. 8599.

Ter uitvoering van artikel 3 van de onderhavige Overeenkomst is op 23 december 1966 en 17 januari 1967 te Dar es Salaam/'s-Gravenhage tussen de wederzijds bevoegde autoriteiten (t.w. de Directie Internationale Technische Hulp van het Ministerie van Buitenlandse Zaken van het Koninkrijk der Nederlanden en het Ministerie van Landbouw, Bosbouw en Wildstand van de Verenigde Republiek Tanzania) een administratief akkoord tot stand gebracht inzake de oprichting van een experimenteel visverwerkingsbedrijf te Mwanza (Tanzania), van welk akkoord de materiële inhoud in het Engels als volgt luidt:

CHAPTER 1

1.1. *Aim and description of the project*

General

The competent authorities of the Netherlands and Tanzania shall collaborate in the establishment of an experimental fish-processing station at Mwanza, Tanzania. The station shall be built on a plot of land with an area of approximately 5,000 sq.m. (see Annex 1)¹⁾, to be made available for the purpose by the Government of Tanzania. The station will assist in the activities conducted by the Tanzanian Government to improve the catching, processing and distribution of fish, and will accordingly concentrate on developing simple methods of fish-processing. To this end it shall engage in three kinds of activities, viz:

- a. research
- b. training
- c. information, advice and demonstration.

1.2.

Research

The station shall carry out research into the possibilities offered by simple methods of processing the types of fish found in inland waters and off the coast of Tanzania. The research shall be carried out in accordance with the programme to be drawn up annually by the Project-leader and the Director of Fisheries of the Ministry of Agriculture, Forestry and Wildlife. This programme shall be submitted for approval to the Fishery Products Institute at IJmuiden.

1.3.

Training

The station shall train assistant field officers in such methods of processing as are developed there, so that these methods may be more effectively publicized within the framework of the information and

1) Niet afgedrukt.

advice service. The training of assistant field officers shall form part of the two or three year course to be determined by experience. Annex 2¹⁾ contains a description of the subjects to be included in the training programme.

1.4.

Information, advice and demonstration

The station shall also make known direct the results of its research, by information and demonstration activities.

CHAPTER 2

Participating and contribution of the Netherlands Government

2.1.

Netherlands executive authorities

The ultimate responsibility for all activities connected with the Netherlands contribution to the project shall lie with the competent Netherlands authority.

The competent Netherlands authority shall discharge its duties in this respect in close co-operation with the Netherlands Organization for Applied Scientific Research and in particular with its Fishery Products Institute at IJmuiden. The competent Netherlands authority may charge suitable bodies, notably the two above-mentioned bodies, with the task of executing either in whole or in part the Netherlands contribution to the project.

2.2.

Experts

The Netherlands shall make available for four and a half years the following experts:

- one technologist (a university graduate) who has specialized in fish-processing; his function is that of Project-leader;
- one technician (trained to college of technology level) with sufficient experience in fish-processing technology to design technical equipment when required to do so by the Project-leader, to operate such equipment himself, and to train others in its operation.

1) Niet afgedrukt.

2.3.

Visiting experts

The Fishery Products Institute may send out assistants, whether employees of the Institute or not, to work for short periods in the station at Mwanza. Up to six such visits may be made, involving up to six-man-months in all.

2.4.

Fellowships

The counterpart of the Project-leader shall receive a year's training in the Netherlands at the expense of the competent Netherlands authority. The training shall include general technology and various methods of fish-processing. The Fishery Products Institute shall draw up a detailed training programme in consultation with other educational authorities. Training given in the Netherlands shall be subject to the general conditions prevailing in respect of fellowships in the Netherlands.

2.5.

Equipment and supplies

The competent Netherlands authority shall be responsible for meeting the following expenses:

Technical equipment for testing fish-processing methods, and laboratory equipment;

Furniture;

Office equipment;

Cost of installing the equipment;

A general-utility vehicle;

Documentation.

The Netherlands contribution shall also include the initial stocking of the station with expendable and other material such as:

– chemicals;

– stationery and folders;

– small articles such as baskets, trays, staplers, etc.

Details of the equipment are given in Annex 3¹⁾.

2.6.

Research in the Netherlands

In supplementation of the research conducted at Mwanza, the Fishery Products Institute may engage in research work. The costs of such research work shall be part of the Netherlands contribution.

1) Niet afgedrukt.

2.7.

Running expenses

The competent Netherlands authority shall contribute towards the running expenses of the Institute, it being understood that the competent authority of Tanzania shall assume responsibility for an increasing proportion of these expenses and shall, in the last year, bear them in full. The Institute's running expenses are estimated at a sum not exceeding f 34.500,-.

The Netherlands contribution to the costs actually incurred, provided they do not exceed this maximum, shall be 100 % for the costs incurred during the year 1966, 75 % for the year 1967, 50 % for the year 1968, 25 % for the year 1969.

By running expenses are meant all costs relating to the operation of the station, including the purchase of fish, goods and passenger transport, administration expenses, services of third parties, expendable goods, and so on. They do not include the cost of employing lower-grade Tanzanian personnel, as specified in Annex 5¹⁾.

During the period of Netherlands participation any revenue derived from the sale of fish shall be regarded as part of the Netherlands contribution and should be used in the operations as if they were part of the Netherlands contribution.

2.8.

Miscellaneous

The Netherlands contribution may include books, periodicals and other documentation. On termination of the project the Fishery Products Institute shall make recommendations concerning the further development of the station. The cost of making these recommendations shall be covered by the Netherlands contribution.

CHAPTER 3

Participation and contribution of Tanzania

3.1.

Executive authority

The Fisheries Division of the Ministry of Agriculture, Forestry and Wildlife being the competent authority of Tanzania shall be responsible for the Tanzanian contribution to the project.

3.2.

Land

The competent authority of Tanzania shall place a plot of land, as specified in Annex 1¹⁾, at the disposal of the Institute.

1) Niet afgedrukt.

3.3.

Buildings

In accordance with the plan drawn up during preliminary consultation between the two countries (see Annex 4)¹⁾, a building shall be erected at the expense of the Tanzanian Government, and shall be used for research work and the practical training of students of the Fisheries Training Institute as also for demonstration purposes. The station may also make use of classrooms in the Fisheries Training Institute.

3.4.

Personnel

The personnel to be employed at the expense of the competent authority of Tanzania shall consist of

- a) one Bachelor of Science graduate or a person otherwise satisfactorily qualified as counterpart for the Netherlands director of the station. This counterpart must be acceptable to the Netherlands director and the Fisheries Products Institute;
- b) one extension officer who has had fourteen years' schooling and has acquired some experience in dealing with fish;
- c) one certificated agromechanic.

3.5.

Accommodation for the Netherlands experts

The competent authority of Tanzania shall place a furnished house free of rent at the disposal of each of the two Netherlands experts, either in the immediate vicinity of the station or in Mwanza.

3.6.

Running expenses

The Government of Tanzania shall be responsible for meeting the running expenses to the extent indicated in the following schedule: 1967: 25 %, 1968: 50 %, 1969: 75 %, 1970: 100 %.

CHAPTER 4

Organization

4.1.

Status of the station

The station shall be an independent institute for training, research, information and advice.

1) Niet afgedrukt.

4.2.

Management of the station

For the first three years or so much shorter as can be decided on by both competent authorities, the Netherlands Project-leader shall, as Director, be responsible for the management of the station. He executes his function in close co-operation with the Fisheries Director of the Ministry of Agriculture, Forestry and Wildlife who shall put all means at his disposal for the proper execution of his task and shall give him full support. In the fourth year or so much earlier as can be decided on by both competent authorities, the Tanzanian counterpart of the Project-leader shall become Director of the station. In that capacity he shall be accountable for its proper running to the Fisheries Director. For the duration of the project the Netherlands Project-leader remains responsible for the Netherlands contribution to the project.

4.3.

*The station's external relations*a. *Training*

The Project-leader and the Director of the Fisheries shall determine in consultation how the training in fish-processing should be incorporated into the Institute's field officers' training course. Their conclusion regarding this matter shall as soon as possible be submitted for approval to the Fishery Products Institute. See Annex 2¹⁾.

b. *Research*

The Project-leader (in the last year the Tanzanian Director of the station) and the Fisheries Director shall draw up each year a research programme and submit it for approval to the Fishery Products Institute. The programme shall be so arranged that it will be possible for occasional short-term projects to be carried out in the course of the year.

c. *Demonstration, information and advice*

The Project-leader (in the last year the Tanzanian Director of the station) shall decide in the light of field research in what cases demonstration and information activities should be undertaken. He shall make such decisions in close consultation with the Fisheries Director, bearing in mind that the said activities are to fit in with the work of the Fisheries Division, which is concerned with the improvement of fishery and the distribution of fish generally.

¹⁾ Niet afgedrukt.

4.4.

Relations with the East African Fresh Water Fishery Research Organization

In the station's programme allowance should be made for the possibility of performing research work to satisfy such requests as may on occasion be made by the above-mentioned organization to the Fisheries Director. The experimental fish-processing station may apply to the Fisheries Director for advice on matters related to the marketing of its products. The Fisheries Director may request the Organization to carry out research in connection with the questions submitted to him.

4.5.

Financial procedure

The Director of the station shall control the station's funds. Its sources of income will be the contributions made by the two governments and the proceeds from the sale of fish products. Using these funds, he shall defray all the station's running expenses. (See Annex 5¹⁾).

Before the start of each new calendar year, the station's budget shall on the recommendation of the Director be approved by the competent authorities of the two governments.

Before the start of each quarter of a year, each of the executive competent authorities shall, in accordance with its commitments, make funds available to the Director of the station for the budget.

The difference between the funds made available and the expenses actually incurred shall be refunded at the end of each year to the executive authorities proportionately to each government's commitments.

An audit shall be carried out each year by the Ministry of Agriculture, Forestry and Wildlife, the customary procedures being employed. The Ministry shall send its report to the Netherlands competent authority.

4.6.

Facilities of the Fisheries Training Institute and the Fisheries Division

The station may, according to need and in consultation between the Principal of MATI (Ministry of Agriculture Training Institute) Nyegezi and the station, make use of the following facilities of the Institute:

- laboratories and workshop;
- classrooms;
- the fish caught at the Institute;
- free drinking-water;
- additional transport in accordance with Government regulations.

¹⁾ Niet afgedrukt.

At the request of the Director of the station, the Fisheries Division may make personnel available to perform special work (such as marketing research) at the station.

4.7.

Internal organization

The Netherlands Project-leader shall, as Director, be responsible for the running of the station, which task he shall perform in close consultation with his Tanzanian counterpart. In the last year of the project the latter shall take over as Director. The Netherlands Project-leader shall then act in an advisory capacity.

The extension expert's main task shall be to determine, by field research, what problems exist in the sphere of fishery that might be susceptible of solution by the introduction of appropriate fish-processing methods. He shall also elaborate methods for disseminating the results of the station's research work, at the same time taking due account of the work being carried out by the Fisheries Division for the improvement of the catching, processing and distribution of fish in Tanzania.

The Netherlands mechanic shall be responsible for the maintenance of the technical equipment; he shall also design and make technical equipment, if required to do so by the Project-leader. Where necessary, he shall provide instruction in his particular field. His counterpart will be the Tanzanian agro-mechanic.

The Netherlands experts shall do everything necessary to pass on to their counterparts the experience and knowledge the latter will require in order to carry on their work independently on termination of the project.

The Director shall prescribe the duties and conditions of employment for the lower-grade personnel, who will be responsible to him in accordance with Government regulations (see Annex 6) ¹⁾.

CHAPTER 5

Miscellaneous

5.1.

In accordance with article 6 of the Agreement concerning technical co-operation between the Government of the United Republic of Tanzania and the Government of the Kingdom of the Netherlands signed at the Hague on 27th April 1965 the following facilities relating to the assignment of experts and the execution of projects which are embodied in the "Model Text of Agreement concerning Assistance

1) Niet afgedrukt.

from the United Nations Special Fund" are declared operative in connection with this project:

- a. The Tanzanian Government shall exempt from or bear the cost of any taxes, duties, fees or levies which may be imposed in Tanzania on the salaries or wages earned by the Netherlands personnel in the execution of the project.
- b. The Tanzanian Government shall be responsible for dealing with any claim which may be brought by third parties against the Netherlands Government, its personnel, or against other persons performing services on behalf of the Netherlands Government under this agreement, and shall hold the Netherlands Government and the above-mentioned persons harmless in case of any claims or liabilities resulting from operations under this agreement, except where it is agreed by both Governments that such claims or liabilities arise from the gross negligence or wilful misconduct of such persons.

5.2.

Medical care

The Government of Tanzania shall provide the Netherlands experts and their families with free medical services and facilities in the same measures as it provides officers of the Government of Tanzania and their families with such services and facilities.

5.3

Transfer of materials

On termination of the project, the two Governments shall consult together about the transfer to the Tanzanian Government of the equipment made available for the project by the Netherlands Government.

5.4.

Reports

Once every three months, or more frequently if the circumstances require, the Netherlands Project-leader shall make a progress report on the project to both competent authorities.

5.5.

*Budget**Netherlands Contribution*

Personnel, costs regular staff (including transport between the Netherlands and Tanzania)	f.	585,000,—
Backstopping		P.M.
Visiting experts	f.	57,000,—
Fellowships	f.	11,000,—
Cost of equipment	f.	200,000,—
Share in running expenses	f.	70,000,—
Contingencies	f.	100,000,—
		<hr/>
	f.	1.023,000,—

Tanzanian Contribution

Personnel costs, staff	£	64,00,—
local personnel	£	52,00,—
Buildings	£	78,00,—
Running expenses	£	86,00,—
Contingencies	£	20,00,—
		<hr/>
	£	300,00,—

5.6.

Start of project

Project activities started on the first of July 1966.

Uitgegeven de zestiende juni 1970.

De Minister van Buitenlandse Zaken,
J. LUNS.