

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1987 Nr. 183

A. TITEL

*Overeenkomst inzake technische samenwerking tussen het Koninkrijk der Nederlanden en de Republiek Indonesië;
's-Gravenhage, 3 april 1964*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1964, 43.

C. VERTALING

Zie *Trb.* 1964, 43.

D. PARLEMENT

Zie *Trb.* 1965, 35.

Het in rubriek J hieronder vermelde administratief akkoord behoeft ingevolge additioneel artikel XXI, eerste lid, onderdeel b, van de Grondwet, juncto artikel 62, eerste lid, onderdeel b, van de Grondwet naar de tekst van 1972, niet de goedkeuring van de Staten-Generaal.

G. INWERKINGSTREDING

Zie *Trb.* 1965, 35.

J. GEGEVENS

Zie, laatstelijk, *Trb.* 1986, 26.

Bij brieven van 9 maart 1987 is het op 20 juni 1986 te Jakarta tot stand gekomen administratief akkoord inzake een project betreffende de opslag en distributie van rijst (tekst in *Trb.* 1987, 4) medegeedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal.

Ter uitvoering van artikel 3 van de onderhavige Overeenkomst is op 24 februari 1987 te Jakarta tussen de wederzijdse bevoegde autoriteiten een administratief akkoord tot stand gekomen betreffende een project inzake de informatiestructuur voor leidinggevendend van de Indonesische Staatsspoorwegen. De tekst van het administratief akkoord luidt als volgt:

Administrative Arrangement

The Netherlands Minister for Development Cooperation, 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 Minister Plenipotentiary of the Netherlands Embassy at Jakarta, Mr. B de Bruyn Ouboter, and the Indonesian Minister of Communications, being the competent Indonesian Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Indonesian Party", represented in this matter by the Secretary General of the Department of Communications, Djunaedi Hadisumarto,

Having decided to co-operate in the railways development in Indonesia by strengthening the Indonesian State Railways;

Having regard to the provisions of Article 3 of the Agreement concerning Technical Co-operation between the Republic of Indonesia and the Kingdom of the Netherlands, signed at The Hague on 3 April 1964, hereinafter referred to as "the Agreement",

Have agreed as follows:

Article I

The Project

1. The two Parties shall jointly carry out a project described in the project document "Top Management Information System for Indonesian State Railways PJKA(FTA-256)", hereinafter referred to as "the Project".

2. The aim of the Project is to create an instrument to improve the operations of PJKA and a revolving planning system for the required development of PJKA in the next five years.

3. These aims shall be pursued by:

a. developing a top management information system to control the current operations within PJKA;

b. developing a top management information system for future planning of PJKA;

c. training PJKA-staff to support the development of both aforementioned systems and to assure the continuous utilization of these systems.

4. The aforesaid co-operation between the two Parties is planned to last for 30 months, starting November 1985.

Article II

The Netherlands Contribution

1. The Netherlands Party shall make the following contributions to the Project;

– provide the necessary experts for short term consultancy missions;

– bear the costs of the secondants of these experts in the Netherlands, including the secretarial, administrative and telecommunication services, as further specified in the project document mentioned in Article I par. 1.

2. The total expenses of the above mentioned Netherlands contribution shall not exceed the amount of Dfl. 1.000.000,-.

Article III

The Indonesian Contribution

1. The Indonesian Party shall make the following contributions to the Project;

– provide qualified and full time available counterparts;

– provide the office space and office equipment;

– provide the documents for the relevant research and study;

– bear the costs of inland transport and per-diem;

– provide accommodation for the experts;

– provide computer facilities;

– provide secretarial, clerical and other supporting staff as further specified in the project document mentioned in Article I, paragraph 1.

2. The value of the Indonesian contribution is estimated at Dfl. 415,000,-.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Directorate General for

International Co-operation of the Ministry of Foreign Affairs as the Netherlands Executive Authority in charge of the Project.

2. The Indonesian Party shall appoint the Directorate General of Land Communications as the Indonesian Executive Authority in charge of the implementation of the Project and responsible for the Project coordination.

3. The above-mentioned Netherlands Executive Authority shall be represented in Indonesia, as far as the day to day operations under the Project are concerned, by the Netherlands Team Leader.

Article V

Delegation

Each of the Executive Authorities, mentioned in Article IV, shall be entitled to delegate under its own responsibility, partly or entirely its duties in connection with the Project to a third party. In doing so the Executive Authorities shall inform each other in writing of the names of the person or institutions delegated and to what extent delegations are made.

Article VI

The Project Manager

The Project Manager shall be responsible to the Indonesian Authority for the implementation of the Project. The Project Manager shall provide the Team Leader with any information that may be considered necessary for the execution of the Project.

Article VII

The Team Leader

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

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

Article VIII

The Plan of Operations

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

- the contribution of either Party;
- the number and duties of the Netherlands staff and the duration of their assignments in Indonesia;
- their job-descriptions;
- activities to be undertaken and their objectives;
- a description of the equipment and materials to be made available.

The Plan of Operations shall include a specified budget concerning each item of the contribution of either Party, a time-table and lists of equipment and materials to be supplied by either Party.

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

3. The Plan of Operations may be amended in common agreement between the Executive Authorities and the amendments to be approved by both Governments through normal procedures.

Article IX

Status of the Netherlands Staff

The Netherlands staff to this Project shall enjoy the privileges mentioned in Article 4 of the Agreement.

Article X

Status of the Netherlands Equipment and Materials

1. The provisions of Article 5 of the Agreement shall be applicable to the importation and exportation of the Netherlands equipment and materials for the Project.

2. The ownership of all equipment and materials supplied by the Netherlands Party shall be transferred to the Indonesian Party at the time the co-operation between the two Parties on the Project will be terminated.

Article XI

Reporting

The Netherlands Team-leader shall submit quarterly reports in the English language on the progress made on the execution of the Project to both Executive Authorities. At the termination of the Project the Team-leader shall submit a final report in the English language on all aspects of the work done in connection with the Project to all Parties involved.

Article XII

Evaluation

The Executive Authorities shall evaluate the Project if so desired by both Parties.

Article XIII

Settlement of Disputes

Any dispute arising out of the interpretation or implementation of this Administrative Arrangement shall be settled amicably by consultation or negotiation between the two Parties.

Article XIV

Entry into Force and Duration

This Administrative Arrangement shall enter into force, with retroactive effect to 1 November 1985, on the date of signature by both Parties and shall expire at the end of the period mentioned in Article I, paragraph 4, 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 Schedule of Operations, whichever date is the latter.

DONE in Jakarta on the twentyfourth day of February, 1987 in two originals in the English language.

*For the Netherlands Minister
for Development Co-operation*
(sd.) B. DE BRUYN OUBOTER

*For the Indonesian Minister
of Communications*
(sd.) DJUNAEDI HADISUMARTO

Het administratief akkoord is op 24 februari 1987 in werking getreden met terugwerkende kracht vanaf 1 november 1985.

Uitgegeven de *zeventiende* november 1987.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK