

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1987 Nr. 196

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de
Democratische Socialistische Republiek Sri Lanka inzake technische
samenwerking;
Colombo, 4 september 1981*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1981, 229.

C. VERTALING

Zie *Trb.* 1981, 229.

D. PARLEMENT

Zie *Trb.* 1982, 88.

G. INWERKINGTREDING

Zie *Trb.* 1982, 88.

J. GEGEVENS

Zie *Trb.* 1983, 72 en 149 en *Trb.* 1984, 73.

De onderhavige Overeenkomst is in overeenstemming met artikel 102 van het Handvest der Verenigde Naties op 21 oktober 1982 geregistreerd bij het Secretariaat der Verenigde Naties onder nr. 21277.

Het op 20 juli 1983 te Colombo tot stand gekomen administratief akkoord inzake de voortzetting en de uitvoering van de Programma's 1 en 2, die zijn gericht op de meting van de beschikbare waterhoeveelheden van de rivier de Mahaweli Ganga (tekst in rubriek J van

Trb. 1984, 73) is medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal bij brieven van 27 augustus 1984.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Colombo op 18 maart 1987 tussen de bevoegde Nederlandse en Sri Lankaanse autoriteiten een administratief akkoord tot stand gekomen inzake de verbetering van de sociale infrastructuur van thee-, rubber- en cocospantages in eigendom van de Staat. De tekst van het akkoord luidt als volgt:

Administrative Arrangement

The Netherlands Minister for Development Co-operation, 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 Sri Lanka, Mr J. H. Daman Willems, and the Minister of Finance and Planning of the Republic of Sri Lanka, being the competent Sri Lankan Authority for the purpose of this Administrative Arrangement, hereinafter referred to as 'the Sri Lankan Party', represented by the Director, External Resources of the Ministry of Finance and Planning, Mr M. A. Mohamed,

Having decided to co-operate in the Project 'Medium Term Investment Programme for the Tree Crop Sector – Social Welfare Programme' in Sri Lanka,

Taking into account the financial arrangement concerning the grant of Dfl 27 million Dutch Guilders for the implementation of the Social Welfare Programme of the Medium Term Investment Programme signed for the Minister of Finance and Planning of Sri Lanka by the Secretary, Ministry of Finance and Planning, Dr W. M. Tilakaratna, and for the Minister for Development Co-operation of the Netherlands by the Charge d'Affaires of the Kingdom of the Netherlands, Mr J. H. Daman Willems on 26 July 1985,

Having regard to the provisions of Article I of the Agreement on Technical Co-operation between the Kingdom of the Netherlands and the Democratic Socialist Republic of Sri Lanka, signed at Colombo on 4 September 1981, 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 'MTIP-Social Welfare Programme Consultancy', hereinafter referred to as 'the Project'.

2. The objective of the Project is to support the Janatha Estates Development Board (JEDB) and the Sri Lanka State Plantation Corporation (SLSPC) in the implementation of the Social Welfare Programme.

3. The aforesaid co-operation between the two Parties is planned to last three years.

Article II

The Netherlands Contribution

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

- provide qualified experts
 - bear the costs of their vehicles, running expenses and their operational expenses
 - pay the salaries of certain local personnel
 - provide short term consultancy
- as further specified in the Plan of Operations mentioned in Article VII.

2. The total expenses of the abovementioned Netherlands contribution shall not exceed the amount of Dfl. 6.925.262, (which will be made available in addition to the grant of Dfl. 27.000.000, committed for the implementation of the Social Welfare Programme of the Medium Term Investment Programme (MTIP/SWP).

Article III

The Sri Lankan Contribution

The Sri Lankan Party shall make the following contributions to the Project:

- make available counterpart staff at general board level (social welfare development)
- make available counterpart staff at regional board level
- provide the necessary office accommodation at the respective Social Development offices in Colombo, as further specified in the Plan of Operations mentioned in Article VII.

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 Sri Lankan Party shall appoint JEDB and SLSPC as the Sri Lankan Executive Authority in charge of the implementation of the Project.

3. The abovementioned Netherlands Executive Authority shall be represented in Sri Lanka, as far as the day to day operations under the Project are concerned, by the Netherlands Teamleader.

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 such cases, the Executive Authorities shall inform each other in writing of the names or institutions delegated and of the extent of such delegation.

Article VI

The Teamleader

The Netherlands Teamleader shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution. The Teamleader shall act in close consultation with the Sri Lankan Executive Authority and shall respect the operational instructions given by the said Authority to the Sri Lankan personnel. The Sri Lankan Executive Authority shall provide the Teamleader with any information that may be considered necessary for the execution of the Project.

Article VII

The Plan of Operations

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

- the contribution of either Party
- the number and duties of the Netherlands staff
- their job-descriptions
- the duration of their stay in Sri Lanka
- a description of the equipment and materials to be made available.

The Plan of Operations shall include a specified budget concerning the contribution of the Netherlands Party.

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

3. The Plan of Operations may be amended by common consent between the Executive Authorities.

Article VIII

Status of the Netherlands Staff

The Netherlands staff to this Project shall enjoy the privileges and immunities, mentioned in Article II, III and IV of the Agreement.

Article IX

Status of the Netherlands Equipment and Materials

1. The provisions of Article V 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 will be transferred to the Sri Lankan Party at the time the co-operation between the two Parties on the Project will be terminated.

Article X

Reporting

The Netherlands Teamleader shall submit every six months 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 Teamleader 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 XI

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 in a way to be decided upon by the latter.

Article XII

Entry into Force and Duration

This Administrative Arrangement shall enter into force, with retro-

active effect to 1 August 1985, on the date of signature by both Parties and shall expire at the end of the period mentioned in Article I, paragraph 3, of the Arrangement or on the date on which the Project has been completed in conformity with the provisions of this Arrangement and of the Plan of Operations, whichever date is the later.

DONE at Colombo on the 18th day of March 1987, in two originals in the English language.

For the Netherlands Minister for Development Co-operation,
The Ambassador,

(sd.) J. H. DAMAN WILLEMS
J. H. Daman Willems

For the Sri Lankan Minister of Finance and Planning,
The Director, External Resources,

(sd.) M. A. MOHAMED
M. H. Mohamed

Het administratief akkoord is ingevolge zijn artikel XII op 18 maart 1987 in werking getreden, met terugwerkende kracht vanaf 1 augustus 1985.

Het 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.

Uitgegeven de *drieëntwintigste* december 1987.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK