

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1988 Nr. 161

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 en, laatstelijk, *Trb.* 1988, 37.

Het in rubriek J hieronder afgedrukte 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 met de goedkeuring van de Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1965, 35.

J. GEGEVENS

Zie *Trb.* 1964, 43, *Trb.* 1965, 35, *Trb.* 1970, 104 en 139, *Trb.* 1971, 125, *Trb.* 1972, 94, *Trb.* 1973, 44, *Trb.* 1974, 82, *Trb.* 1975, 127, *Trb.* 1976, 67, *Trb.* 1978, 51, *Trb.* 1980, 79, *Trb.* 1981, 119, *Trb.* 1984, 35, *Trb.* 1986, 26, *Trb.* 1987, 4 en 183 en *Trb.* 1988, 37.

Bij brieven van 24 juni 1988 is het op 30 december 1987 te Jakarta tot stand gekomen administratief akkoord inzake het Geïntegreerd Streekontwikkelingsproject voor Pompengan (tekst in *Trb.* 1988, 37) medegeedeeld aan de Eerste en aan de Tweede Kamer der Staten-Generaal.

Ter uitvoering van artikel 3 van de onderhavige Overeenkomst is op 22 juli 1988 te Jakarta tussen de wederzijdse bevoegde autoriteiten tot stand gekomen een administratief akkoord inzake een project betreffende de verbetering van de waterhuishouding, in het bijzonder van de irrigatie in het Ciduriangebied ter verhoging van de rijstproductie aldaar. 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 Extraordinary and Plenipotentiary of Her Majesty the Queen of the Netherlands at Jakarta, G. W. Baron de Vos van Steenwijk and the Indonesian Minister of Public Works, Mr. Radinal Moochtar being the competent Indonesian Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Indonesian Party"

Having decided to co-operate in a project for Cidurian Upgrading of Irrigation and Water Management (B-130) in Balaraja, West Java.

Having regard to the provisions of Article 3 of the Agreement concerning Technical Co-operation between the Kingdom of the Netherlands and the Republic of Indonesia 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 make concerted efforts in executing a Project to be known as the Cidurian Upgrading of Irrigation and Water Management activities in Balaraja, West Java (B - 130).
2. The aim of the Project is to increase the agricultural production by making more efficient use of the irrigated area and to improve the water management in order to create multiple harvest annually.
3. These aims shall be pursued by:

- a. the technical upgrading of the infrastructure of the scheme including the main water control system (irrigation and drainage);
- b. inspection of roads and service buildings;
- c. improving integrated water management on a selected area of 2.000 ha;
- d. training of Department of Public Works staff in operation and maintenance of the main system;
- e. guidance of the waterusers organizations and its related structure.

With regard to the items 3a and 3b the Government of Indonesia and the Government of the Netherlands committed a separate loan in favour of the Cidurian Project, as was stated in the Agreed Minutes signed on February 29, 1988.

4. The aforesaid co-operation between the two Parties is planned to last 48 months.

Article II

The Netherlands Contribution

1. The Netherlands Party shall make the following contributions to the Project:
 - expatriate experts;
 - support for local consultants;
 - fellowships;
 - equipment;
 - training and operational costs.
2. The total expenses of the above mentioned Netherlands contribution shall not exceed the amount of Dfl. 10.400.000.

Article III

The Indonesian Contribution

1. The Indonesian Party shall make the following contributions to the Project:
 - to provide a qualified counterpart staff;
 - to provide supporting personnel;
 - to provide office and laboratory facilities;
 - to provide local official transportation for official use (Jakarta - Bandung);
 - to provide means of transportation for project equipment from Jakarta to project location, storage capacity and insurance;
 - to provide equipment maintenance expenses;
 - to facilitate clearance of equipment, work permit and visa;

– to provide tax payments which are levied as a result of the Project.

2. The value of Indonesian contribution is estimated at Dfl. 1.750.000,-.

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 Water Resources Development of the Ministry of Public Works as the Indonesian Executive Authority in charge of the implementation of the Project.

3. The above mentioned Netherlands Executive Authority shall be represented in Indonesia, as far as the day to day operations of 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 immediately inform each other in writing of the names of persons or institutions delegated and of the extent of such delegation.

Article VI

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. The Indonesian Executive Authority shall provide the Team Leader 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 in common agreement a Plan of Operations indicating in detail:

- the contribution of either Party, including a specified budget concerning each item of the contribution;
- 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, including a timetable;
- a description of the equipment and materials to be made available by either Party and listed accordingly.

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 VIII

Status of the Netherlands Staff

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

Article IX

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 X

Reporting

The Netherlands Team Leader shall submit three monthly 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 XI

Evaluation

In October 1989 the Executive Authorities shall evaluate the Project while in January 1992 a final evaluation will be carried out.

Article XII

Settlement of disputes

Any dispute concerning the interpretation of this Administrative Arrangement, which cannot be settled in consultation between both Parties, shall be referred to the respective Governments to 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, with retroactive effect to February, 1st 1988, 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 later.

DONE in Jakarta on 22 day of July 1988, in two originals in the English language.

For the Netherlands Minister for Development Cooperation

(sd.) G. W. DE VOS VAN STEENWIJK

G. W. Baron de Vos van Steenwijk

For the Indonesian Minister of Public Works

(sd.) RADINAL MOOCHTAR

Radinal Moochtar

Het administratief akkoord is op 22 juli 1988 in werking getreden,
met terugwerkende kracht vanaf 1 februari 1988.

Uitgegeven de *negenentwintigste* december 1988.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK