

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1988 Nr. 37

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 heeft 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. 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 en *Trb.* 1987, 4 en 183.

Bij brieven van 21 december 1987 is het op 24 februari 1987 te Jakarta tot stand gekomen administratief akkoord betreffende een

project inzake de informatiestructuur voor leidinggevend en aan de Indonesische Staatsspoorwegen (tekst in rubriek J van *Trb.* 1987, 183) medegedeeld aan de Eerste en aan de Tweede Kamer der Staten-Generaal.

Ter uitvoering van artikel 3 van de onderhavige Overeenkomst is op 30 december 1987 te Jakarta tussen de wederzijdse bevoegde autoriteiten tot stand gekomen een administratief akkoord inzake het Geïntegreerd Streekontwikkelingsproject voor Pompengan. De tekst van het administratief 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, and the Indonesian Minister of Home Affairs, 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 the Pompengan Integrated Area Development Project;

Having regard to the provisions of Article 3 of 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 entered into following Administrative Arrangement:

Article I

The Project

1. The two Parties shall make concerted efforts in executing a project to be known as "the Pompengan Integrated Area Development Project", hereinafter referred to as "the Project".

2. The aims of the Project are:

a. the construction of a technical irrigation system including flood protection dikes, land improvement, access roads and preparation of areas for village extension and new villages, indicated as the Irrigation Works;

b. the contribution to a complementary program in order to provide part B of the project area within a reasonable time with sufficient farmers with farming plots and enjoying public amenities, indicated as the Settlement Plan;

c. the implementation of an adequate operation and maintenance

scheme for the main system and within the tertiary units inclusive the establishment of Water Users Associations, indicated as Operation and Maintenance;

d. the guidance and support towards the farmers to come to an optimal land use with respect to crop intensification, diversification, and extension services, indicated as Agricultural Development Programs;

e. the coordination and integration of irrigation works, Settlement Plan, Operation and Maintenance and the agricultural component to reach an optimum development of the Pompengan area;

f. the institutional strengthening of agencies involved and strengthening of the farmers/settlers participation.

3. These aims shall be pursued by the provision of:

- long term advisors;
- short term advisors;
- local personnel and local contracting;
- training, fellowships;
- transport;
- monitoring and evaluation.

4. The aforesaid co-operation between the two Parties is planned to end on 31 March 1990 or on such other date as may subsequently be arranged between the two Governments.

Article II

The Netherlands Contribution

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

- consultancy services (long and short term);
- allowances to local personnel;
- training and fellowships;
- transport and reports.

2. The total expenses of the above-mentioned Netherlands contribution shall not exceed the amount of Dfl. 3,000,000.- excluding a financial aid contribution of Dfl. 6,140,000.-.

Article III

The Indonesian Contribution

1. The Indonesian Party shall make the following contribution to the Project:

- provide the operations costs of the consultants team (April 1987 - March 1990);

– provide financial assistance for the construction/implementation costs of the Settlement Plan.

2. The value of the Indonesian contribution is estimated at Rp 2,519,100,000.-.

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 Regional Development (BANGDA) Ministry of Home Affairs, 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 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 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 shall 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

Organization and Implementation

1. The organization and implementation of the investments and services to be provided by both the Government of the Netherlands and the Government of Indonesia are described in the Schedule of Operations which consist of:

- Settlement Plan Area B;
- Working Program September 1986 - April 1990;
- Proposal for Consultancy Services, i.e. among others:
 - * the number and duties of the Netherlands staff,
 - * their job-descriptions,
 - * the duration of their stay abroad,
 - * a description of the equipment and material 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 from time to time in common agreement by an exchange of letters between the Executive Authorities.

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 will 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 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

The Executive Authorities shall evaluate the Project as a whole whenever decided appropriate.

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 in a way to be decided upon by the later.

Article XIII

Entry into Force and Duration

This Administrative Arrangement shall enter into force, with retro-active effect to 1 July 1986, 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 at Jakarta on the 30th day of December 1987 in two originals in the English language.

For the Netherlands Minister for Development Cooperation

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

G. W. de Vos van Steenwijk
Ambassador

For the Indonesian Minister of Home Affairs,

(sd.) ASWISMARMO

Aswismarmo
Secretary General

Het administratief akkoord is op 30 december 1987 in werking getreden, met terugwerkende kracht vanaf 1 juli 1986.

Uitgegeven de *tweëntwintigste* april 1988.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK