

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1988 Nr. 40

A. TITEL

Overeenkomst tussen het Koninkrijk der Nederlanden en de Democratische Republiek Soedan inzake technische samenwerking; Khartoum, 4 oktober 1975

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1975, 151.

C. VERTALING

Zie *Trb.* 1975, 151.

D. PARLEMENT

Zie *Trb.* 1977, 140 en, laatstelijk, *Trb.* 1987, 129.

Het in rubriek J hieronder afgedrukte administratief akkoord heeft ingevolge 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.

Bij brieven van 13 november 1987 is het op 19 juli 1986 te Khartoum tot stand gekomen administratief akkoord inzake het herstel en de uitbreiding van de Khartoum-IJzergieterij (tekst in rubriek J van *Trb.* 1987, 129) medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1977, 140.

J. GEGEVENS

Zie *Trb.* 1978, 50, *Trb.* 1979, 39, *Trb.* 1980, 95, *Trb.* 1982, 35, *Trb.* 1983, 16 en *Trb.* 1987, 129.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is op 19 december 1987 te Khartoum tot stand gekomen een administratief akkoord betreffende het Project inzake het herstel van de centrale opslagloodsen voor medicijnen en medische apparatuur (Central Medical Stores). De tekst van het 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 Chargé d'Affaires of the Kingdom of the Netherlands at Khartoum, P. C. Feith,

and

the Sudanese Minister of Finance and Economic Planning being the Competent Sudanese Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Sudanese Party", represented in this matter by the Undersecretary of Finance and National Economy Dr. El Sayed Ali Ahmed Zaki,

With regard to the provisions of Article I of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the Democratic Republic of the Sudan, signed at Khartoum on the 4th of October 1975 hereinafter referred to as the "Agreement",

Taking into consideration the contents of the discussions held at the various rounds of the annual bilateral consultations with respect to the rehabilitation project of the Central Medical Stores at Khartoum;

Taking into consideration the mutual intent to embark on this project as soon as possible in order to strive towards an adequate and sufficient distribution of medical supplies throughout the Sudan;

Have entered into the following Administrative Arrangement:

Article I

1. The two Parties shall jointly carry out a project, to be known as "The Rehabilitation of the Central Medical Stores", hereinafter re-

ferred to as "the Project". A detailed description of the Project is given in the Working Document of the same title, dated July 1986.

2. The aim of the Project is to create a well equipped and well organized central organization, which is responsible for purchasing, storing and distributing all medical supplies imported in the Sudan under the Government's responsibility. This aim shall be achieved by a complete organizational and physical rehabilitation and extension of the present Central Medical Supplies, Administration (Ministry of Health) in Khartoum and Port Sudan.

3. This aim shall be pursued by:

- the establishment of a National Steering Committee for Medical Supplies, which shall guide and give advice to Central Medical Stores (CMS) on the execution of it's tasks and responsibilities;
- the legal transformation of CMS into the "Central Medical Supplies Public Organization";
- the provision of a team of experts, which will assist at obtaining the managerial and organizational improvements within the organization;
- the physical rehabilitation and extension of the present CMS, by upgrading several existing office buildings and stores, and constructing new ones and extensions where upgrading is considered impossible;
- the availability of WHO-assistance which will be mainly oriented towards the implementation of a training programme within the present distribution network and the development of medical supplies throughout the Sudan.

4. The cooperation between the two Parties is planned to last four years, subject to the promptness of the execution.

Article II

The Netherlands Contribution

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

- supply a team of experts which will consist of a project manager, a financial expert, a logistic expert, a training expert, and a computer expert;
- finance the physical rehabilitation and extension of the CMS-premises which includes financing all construction phases from the drafting the tender documents up to the final completion of all planned construction activities excluded those budget components mentioned in article III paragraph 1;
- finance the physical rehabilitation of the CMS-premises at Port Sudan;

- finance the construction of a storage building at Khartoum Airport, with adequate cooling facilities needed for temporarily storing the medical supplies imported by CMS;
 - finance the imported Project goods supporting the managerial and organizational improvements;
 - finance the assignment of a senior project consultant who will during the entire project implementation take care of a proper guidance of all project activities;
- as further specified in the Working Document mentioned in Article VII.

2. The value of the Netherlands contribution shall not exceed the amount of 20.205.000,- Netherlands guilders.

Article III

The Sudanese Contribution

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

- supply adequately qualified counterparts for the expatriate team of experts;
- finance those budget components of the physical rehabilitation and extension of the CMS-premises and buildings, which comprise the purchase of non-imported building materials and the locally contracted labour for the building activities and other expenses necessary for the implementation of the project;
- make available a team of local experts responsible for the day to day supervision of the building activities;
- finance the non-imported Project goods supporting the managerial and organizational improvements;
- see to it that the necessary steps are taken for the legal transfer of the present CMS into the "Central Medical Supplies Public Organization" and take all further measures so as to ensure a maximum financial and organizational autonomy of this newly established organization;
- see to it that a "National Steering Committee for Medical Supplies" as mentioned in Article I, paragraph 2, is established;
- see to it that the World Health Organization is invited to assist at the coordination of all present activities concerning the distribution of medical supplies throughout the Sudan, and to investigate the desirability and possibility of developing a new distribution-system;
- bear the running costs of the present CMS and the future organization;
- take all further measures to facilitate the implementation of the Project.

as further specified in the Working Document mentioned in Article VII.

2. The total value of the Sudanese contribution is estimated at 4.400.000,- Sudanese Pounds.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Directorate General of International Cooperation of the Netherlands Ministry of Foreign Affairs as the Netherlands Executive Authority in charge of the implementation of the Project. The Netherlands Executive Authority shall be represented in the Sudan, as far as the day-to-day operations with respect to the management and organization component of the Project are concerned, by the Netherlands Project Manager. The Netherlands Project Manager shall act in close cooperation with the Sudanese Executive Authority and its representative, the Managing Director of CMS, and respect the operational instructions given by the said Authority to the Sudanese personnel.

2. The Sudanese Party shall appoint the Ministry of Health as the Sudanese Executive Authority in charge of the implementation of the Project. The Sudanese Executive Authority shall be represented, as far as the day-to-day operations of the Project are concerned, by the Sudanese Managing Director of CMS. The Sudanese Executive Authority and/or the Managing Director of CMS, shall provide the Netherlands Project Manager with any information that may be considered necessary for the correct implementation of the Project.

Article V

Delegation

Each of the Executive Authorities shall be entitled to delegate the duties in connection with the Project under its responsibility party or entirely to other authorities or organizations. The Executive Authorities shall inform each other in writing of any of such delegation and of the extent of the delegation.

Article VI

The Managing Director and the Senior Project Consultant

1. The Managing Director of CMS shall be responsible to the Sudanese Executive Authority for the correct implementation of the

Sudanese contribution to the Project. The Netherlands Senior Project Consultant shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution to the Project.

Article VII

The Working Document

1. The Executive Authorities shall establish by common consent a Working Document, which contains inter alia:

a. a description of the contribution of either Party as indicated in Article II and III including the number of experts to be sent out and their respective job descriptions, the building and civil engineering plans and the corresponding programme of requirements, the composition and responsibilities of the National Medical Supplies Steering Committee, and an outline of a new national medical supplies distribution system.

b. a time-table, describing chronologically all activities to be carried out.

c. an itemized Project budget.

2. The Working Document as basis for a proper execution of the Project shall form an integrated part of this Administrative Arrangement.

3. The Working Document may be amended by common consent by the Executive Authorities .

Article VIII

Personnel

The experts supplied by the Netherlands Party shall enjoy the privileges and immunities described in Article II and III of the Agreement.

Article IX

Equipment and Materials

The provision of Article IV of the Agreement shall be applicable to the import and export of the equipment and materials provided by the Netherlands party.

Article X

Reporting

The Project Manager and the Senior Project Consultant shall submit to the Executive Authorities quarterly reports in English on the progress made on the implementation of the Project. On the termination of the Project the Project Manager shall submit to all parties involved a final report in English on all aspects of the work executed in connection with the Project.

Article XI

Evaluation

1. At the end of the second year of the Project implementation an evaluation will be held; thereafter evaluations will be scheduled by the Executive Authorities.

2. The composition of the evaluation missions will be defined jointly by the Executive Authorities.

Article XII

Settlement of Disputes

Any dispute concerning the interpretation or implementation of this Administrative Arrangement which cannot be settled by consultations between the two Parties shall be referred to the respective governments.

Article XIII

Entry into Force and Duration

This Administrative Arrangement shall enter into force, with retroactive effect to 1 March 1987, on the date of signature by both Parties and shall expire either at the end of the period stated 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 Working Document whichever date is the later.

DONE at Khartoum, on the 19th of December 1987 in two originals in English.

For the Netherlands Minister for Development Co-operation,

(sd.) P. C. FEITH

Mr. P. C. Feith

For the Sudanese Minister of Finance and Economic Planning

(sd.) EL SAYED ALI AHMED ZAKI

Dr. El Sayed Ali Ahmed Zaki

Het akkoord is in werking getreden op 19 december 1987, met terugwerkende kracht vanaf 1 maart 1987.

De Wereldgezondheidsorganisatie, welke Organisatie onder andere in artikel 1, derde lid, wordt genoemd, is opgericht te New York op 22 juli 1946. De tekst van het Statuut van de Wereldgezondheidsorganisatie is bekendgemaakt in *Stb.* I 182. Zie ook, laatstelijk, *Trb.* 1986, 162.

Uitgegeven de tweeëntwintigste april 1988.

De Minister van Buitenlandse Zaken,

H. VAN DEN BROEK