

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1993 Nr. 82

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de Filippijnen
inzake de geïntegreerde ontwikkeling van het platteland in de provincie
Antique;
Manilla, 5 februari 1993*

B. TEKST

The Government of the Kingdom of the Netherlands
and
the Government of the Philippines
have entered into the following Agreement

Article I

1. The two Governments shall jointly execute a project to be known as "Antique Integrated Area Development Project (ANIAD)".

2. The aims of the project are effective participation by the people in development and socio-economic processes, reduction of the absolute and relative poverty in geographical areas of intervention of the programme; improvement of the primary economic sectors in these geographical areas; creation of enduring structures for sustaining the bio-physical and human resource basis for development.

3. The ANIAD project phase I is planned to last three years, January 1st, 1991 to December 31st, 1993.

4. The value of the Netherlands contribution is estimated at Hf. 8.822.650.-.

5. The value of the Philippine contribution is estimated at P\$ 25.800.000.-.

Article II

Both Governments shall establish by common consent a Project Document (Plan of Operations Phase I) as well as an addendum institutional, managerial and financial framework of the Antique Integrated Area Development Project (ANIAD) indicating in detail the objectives, strategy, plan, nature, orientation, the contribution of either Party, the number of Netherlands personnel and their job-descriptions, the duration of their stay on the Project and a description of the equipment and materials to be made available.

Article III

The Philippine Government shall take any measures which may be necessary to exempt the Netherlands personnel from regulations or other legal provisions which may interfere with operations under this Agreement, and shall grant them such other facilities as may be necessary for the speedy and efficient execution of the project, as described in the Plan of Operations approved by both Governments. The Government shall,

1. grant the Netherlands personnel, their spouses and dependents, the prompt issuance free of charge of necessary visas, licences or permits;
2. grant the Netherlands personnel access to the site of work and all necessary rights of way;
3. grant the Netherlands personnel free movement, whether within or to or from the country;
4. grant the Netherlands personnel the most favorable rate of exchange;
5. grant the Netherlands personnel and their dependents repatriation facilities in time of national or international crises;
6. grant the Netherlands personnel and their dependents exception from national services obligations;
7. exempt the Netherlands personnel from taxes, duties and fees on:
 - the salaries, emoluments or wages in connection with this Agreement paid by the Netherlands Government;
 - the property, for their personnel use (including one motor vehicle) imported in or exported from the Philippines;
8. grant the Netherlands personnel immunity from legal action in respect of words spoken or written and in respect of all acts performed by them in their official capacity.

Article IV

Privileges and immunities are not granted to the Netherlands personnel for the personal benefit of the individuals themselves. The Netherlands Government shall waive the immunity in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to its interests.

Article V

1. The Philippine Government shall indemnify and hold harmless the Netherlands Government and the personnel supplied by the Netherlands against any liability, arising from any act or omission made in the course of the performance of the duties of the Netherlands personnel and causing the death or physical injury to a third party or damage to the property of a third party, unless such liability derives from willful misconduct or from gross negligence on the part of one or more of the experts.

2. If the Philippine Government has to deal with any claim in accordance with the preceding paragraph the Philippine Government will be entitled to exercise all rights to which the Netherlands or the Netherlands personnel are entitled.

Article VI

1. The Philippine Government shall exempt from all import and export duties and other official charges the equipment (including motor-vehicles) and other supplies provided by the Netherlands Government in connection with the project.

2. The ownership of all equipment and materials supplied by the Netherlands Government will be transferred to the implementing agencies concerned at the end of the project, unless both Governments otherwise agree.

Article VII

1. This Agreement will enter into force for the period of one year on the day of its signature.

2. Unless this Agreement is denounced 30 days before the expiration of the period of one year, it is deemed to be prolonged indefinitely.

3. In case this Agreement is prolonged indefinitely, the Agreement will end on the date on which the project has been completed.

4. After termination of the Agreement in conformity with the paragraphs 2 and 3 of this Article, the provisions of the Agreement will be applied for a further period of 6 months maximum, with a view to the administrative completion of the project.

DONE in duplicate at Manila on February 5, 1993 in the English language.

For the Government of the Kingdom of the Netherlands

(sd.) L. J. HANRATH

Lambert J. Hanrath
Ambassador

For the Government of the Republic of the Philippines

(sd.) C. F. HABITO

Cielito F. Habito
Director General and Secretary of Socio-Economic Planning

D. PARLEMENT

De Overeenkomst behoeft niet de goedkeuring van de Staten-Generaal ingevolge artikel 91, juncto additioneel artikel XXI, eerste lid, van de Grondwet en artikel 62, eerste lid, onderdeel c, van de Grondwet naar de tekst van 1972, alvorens in werking te kunnen treden.

G. INWERKINGTREDING

De bepalingen van de Overeenkomst zijn ingevolge artikel VII, eerste lid, op 5 februari 1993 in werking getreden.

Wat het Koninkrijk der Nederlanden betreft, geldt de Overeenkomst alleen voor Nederland.

Uitgegeven de vijftiengste juni 1993.

De Minister van Buitenlandse Zaken,

P. H. KOOYMANS