

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1994 Nr. 197

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de Verenigde Republiek Tanzania inzake technische samenwerking;
's-Gravenhage, 27 april 1965*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1965, 74. De Overeenkomst is gewijzigd bij notawisseling d.d. 30 oktober 1986 (zie rubriek J van *Trb.* 1987, 170).

C. VERTALING

Zie *Trb.* 1965, 74 en rubriek J van *Trb.* 1987, 170.

D. PARLEMENT

Zie *Trb.* 1967, 27 en, laatstelijk, *Trb.* 1993, 175.

Bij brieven van 28 januari 1994 zijn de in rubriek J van *Trb.* 1993, 175 afgedrukte administratieve akkoorden medegegeeld aan de Eerste en de Tweede Kamer der Staten-Generaal.

Het in rubriek J hieronder afgedrukte administratief akkoord behoeft ingevolge artikel 91, juncto additioneel artikel XXI, eerste lid, onderdeel b, van de Grondwet en juncto artikel 62, eerste lid, onderdeel b, van de Grondwet naar de tekst van 1972, niet de goedkeuring van de Staten-Generaal alvorens in werking te treden.

G. INWERKINGTREDING

Zie *Trb.* 1967, 27 en rubriek J van *Trb.* 1987, 170.

J. GEGEVENS

Zie *Trb.* 1967, 27 *Trb.* 1969, 38, *Trb.* 1970, 88, *Trb.* 1971, 164, *Trb.* 1972, 126, *Trb.* 1973, 161, *Trb.* 1974, 172, *Trb.* 1982, 186, *Trb.* 1985, 19, *Trb.* 1987, 170, *Trb.* 1988, 38, *Trb.* 1989, 147, *Trb.* 1990, 105, *Trb.* 1991, 186 en *Trb.* 1993, 175.

Ter uitvoering van artikel 3 van de onderhavige Overeenkomst is op 7 maart 1994 te Dar es Salaam tussen de bevoegde Nederlandse en Tanzaniaanse autoriteiten een administratief akkoord tot stand gekomen inzake een Onderzoeksproject Landbouw Systeem, Lake Zone. 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",

and

the Minister for Finance of the United Republic of Tanzania, being the competent Tanzanian Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Tanzanian Party",

Having regard to the provisions of Article 3 of the Agreement concerning technical co-operation between the Government of the Kingdom of the Netherlands and the Government of the United Republic of Tanzania, signed at The Hague on April 27, 1965, hereinafter referred to as "the Agreement",

Have entered into the following Administrative Arrangement:

Article I

The Project

1. The two parties shall make concerted efforts in executing a project, to be known as "Farming System Research Project, Lake Zone (FSR)" hereinafter referred to as "the Project".

2. The general aim of the Project is to increase the productivity and sustainability of local farming systems in the Lake Zone in order to stabilize and increase household's incomes. Attention will be focused on the crop (food and cash) and animal production sub-systems and their interrelations.

3. The aim shall be pursued by the provision of consultancy services.

4. The aforesaid cooperation between the two Parties is planned to last 6 years.

Article II

The Netherlands Contribution

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

- The provision of four experts
- The provision of short-term consultancies
- The provision of short and long-term training courses for the Tanzanian counterpart staff
- The provision of necessary equipment.

2. The total value of the above mentioned Netherlands contribution shall not exceed the amount of 18.693.984 Dutch guilders.

Article III

The Tanzanian Contribution

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

- The provision of necessary counterpart staff.
- The provision of office space and equipment and secretarial support to the Netherlands team members.
- The provision of funds for short-term in country training of Tanzanian staff.

2. The value of the Tanzanian contribution is estimated at 26.125.000 Tanzanian shillings.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Directorate General for International Cooperation of the Ministry of Foreign Affairs as the Netherlands Executive Authority in charge of the Project.

2. The Tanzanian Party shall appoint the Ministry of Agriculture as the Tanzanian Executive Authority in charge of the implementation of the Project.

3. The above-mentioned Netherlands Executive Authority shall be represented in Tanzania, as far as the day to day operations under the Project are concerned, by the Netherlands Chief Technical Advisor.

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 of persons or institutions delegated and of the extent of such delegation.

Article VI

The Chief Technical Advisor

The Chief Technical Advisor assigned by the Netherlands Party shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution. The Chief Technical Advisor shall act in close consultation with the Tanzanian Executive Authority and will respect the operational instructions given by the said Authority to the Tanzanian personnel. The Tanzanian Executive Authority shall provide the Chief Technical Advisor with any information that may be considered necessary for the execution of the Project.

Article VII

Plan of Operations

1. The Executive Authorities shall establish in common agreement a Plan of Operations which will indicate in detail:

- the contribution of either Party;
- the number of the Netherlands and Tanzanian Staff, their duties and their job descriptions;
- a time-table;
- a description of the equipment and materials to be made available;
- the monitoring and evaluation of the Project.

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.

Article VIII

Status of the Expatriate Staff

1. The Netherlands staff supplied by the Netherlands Party to the Project shall enjoy the privileges and facilities described in Article 4 of the Agreement.

2. The Tanzanian Party shall guarantee the following with respect to the Netherlands staff:

- a. the prompt issuance without cost of necessary visas, licences and (work) permits;
- b. free movement, whether within or to or from the country;

- c. the most favourable official rate of exchange for all their Netherlands remunerations;
- d. exemption from national service obligations;
- e. immunity from legal action in respect of any words spoken or written and in respect of any acts performed in their official capacity.

3.a. The Tanzanian Party shall indemnify and hold harmless the Netherlands Party and the Netherlands staff, agents or employees financed by the Netherlands Party against any extra-contractual civil liability arising from any act or omission on the part of one or more of the individuals mentioned during the operations governed by or undertaken by virtue of this Arrangement which has caused the death or physical injury of a third party or damage to the property of a third party and shall abstain, on its part, from making any claim or instituting any action for extra-contractual civil liability, unless such liability is derived from wilful misconduct or gross negligence on the part of the Netherlands Party or the individuals mentioned.

b. In the event the Tanzanian Party holds harmless the Netherlands Party, or one or more of the individuals mentioned above, against any claim or action for extra-contractual civil liability in accordance with paragraph 3(a) of this Article, the Tanzanian Party shall be entitled to exercise all rights to which the Netherlands Party or such individuals are entitled.

c. Should the Tanzanian Party so request, the Netherlands Party shall provide the competent Authorities of Tanzania with the administrative or juridical assistance needed for a satisfactory settlement of such problems as may arise in connection with the application of paragraphs 3(a) and 3(b) of this Article.

4. The Netherlands staff shall enjoy the same medical and dental facilities at Government hospitals as are provided for Tanzanian Government officials of comparable rank.

Article IX

Status of the Netherlands equipment and materials

1. The provision 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 Tanzanian Party at the time the cooperation between the two Parties on the Project will be terminated.

Article X

Reporting

The Netherlands Chief Technical Advisor shall submit at least every six months a report in the English language on the progress made in the execution of the Project to both Executive Authorities. At the termination of the Project the Chief Technical Advisor 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 1997 the Executive Authorities shall evaluate the Project. A mid-term review is foreseen in June 1994.

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 and 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 January 1, 1992, 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 provision of this Arrangement and of the Plan of Operations, whichever date is the later.

DONE at Dar es Salaam on the 7th day of March, 1994 in two originals in the English language.

For the Minister for Finance of the United Republic of Tanzania

(sd.) P. NGUMBULLU

For the Netherlands Minister for Development Co-operation

(sd.) J. L. IJZERMANS

Het akkoord is ingevolge zijn artikel XIII op 7 maart 1994 in werking getreden, met terugwerkende kracht vanaf 1 januari 1992.

Uitgegeven de *derde* oktober 1994.

De Minister van Buitenlandse Zaken,

H. A. F. M. O. VAN MIERLO