

16 (1984) Nr. 4

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1997 Nr. 103

A. TITEL

Overeenkomst inzake technische samenwerking tussen het Koninkrijk der Nederlanden en de Volksrepubliek Mozambique; Maputo, 12 juli 1984

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1984, 104.

C. VERTALING

Zie *Trb.* 1984, 104.

D. PARLEMENT

Zie *Trb.* 1985, 142 en *Trb.* 1994, 12.

Bij brieven van 2 maart 1994 zijn de in rubriek J van *Trb.* 1994, 12 afgedrukte administratieve akkoorden d.d. 12 november 1992, 3 december 1992, 16 maart 1993 en 20 april 1993 medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal.

De in rubriek J hieronder afgedrukte administratieve akkoorden behoeven ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring der Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1985, 142.

J. GEGEVENS

Zie *Trb.* 1994, 12.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Maputo op 9 januari 1997 tussen de Nederlandse en de Mozambiquaanse bevoegde autoriteiten een administratief akkoord tot stand gekomen inzake het „Institutional Support ARA-Sul” project. 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 Mozambican Minister of Foreign Affairs, being the competent Mozambican Authority for the purpose of this Administrative Arrangement, hereinafter referred to as “the Mozambican Party”;

Having decided to co-operate in the field of “the Water Sector Capacity Building Programme”;

Having regard to the provision of Article 1 of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the Republic of Mozambique signed at Maputo on July 12, 1984, hereinafter referred to as “the Agreement”,

Have entered into the following Administrative Arrangement:

Article I

The Project

1. The two Parties shall jointly execute a project to be known as “Institutional Support ARA-SUL”, hereinafter referred to as “the Project”.

2. The aim of the Project is to establish a self-sustaining institutional capacity in ARA Sul, for ARA SUL to become an efficient, financial self-supporting organisation with efficient operating procedures to deliver water economically and efficiently to users for a proper development of the region and its population.

The aim of the Project will be achieved through the following specific objectives:

- establish a strategy for the rehabilitation, operation and maintenance of a minimum strategic hydrometric and water quality network;
- development of simple water balance models for the three main reservoirs to support decision making in the allocation of the available water resources;
- creation and normal functioning of the Management Council;
- put and keep regulations and standard procedures in place;
- adjust water tariffs up to the level of at least recurrent costs;
- assessment of the manpower need.

3. The aforesaid cooperation between the two Parties is planned to last four years.

Article II

The Netherlands Contribution

1. The Netherlands Party shall make the following contribution to the Project:
 - Personnel costs Netherlands' team members;
 - Consultancies;
 - Investments in ISAS, hydromet and water quality network ARA-Sul;
 - Operational costs;
 - Modular Course Programme;
 - Post graduate and MSc. Training, English courses and Workshops.
2. The value of the Netherlands contribution is a maximum of NLG. 4.800.000,=.

Article III

The Mozambican Contribution

1. The Mozambican Party shall make the following contribution to the Project:
 - Salary of National Staff
 - Operational Costs ISAS/ARA-Sul
2. The value of the Mozambican contribution is a maximum of MZM 3.740.000.000,=, equivalent to NLG. 584.000,=.

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 Mozambican Party shall appoint the National Water Directorate of the Ministry of Public Works and Housing as the Mozambican Executive Authority in charge of the implementation of the Project.
3. The above-mentioned Netherlands Executive Authority shall be represented in Mozambique, as far as the day to day operations of the Project are concerned, by the Team Leader appointed by the Netherlands Party.

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 immediately 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 Mozambican Executive Authority and shall respect the operational instructions given by said Authority to the Mozambican personnel. The Mozambican 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;
 - the number and duties of the staff appointed by each Party;
 - their job-descriptions;
 - the duration of their assignment;
 - a time-table;
 - a description of the equipment and materials to be made available;
 - the monitoring of progress and the reporting.
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 by the Executive Authorities.

Article VIII

Reporting

The Netherlands Team Leader shall submit 6 monthly reports 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 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 IX

Status of expatriate staff

The expatriate staff supplied to the Project by the Netherlands Party shall enjoy the privileges and immunities as described in the Articles 2 and 3 of the Agreement.

Article X

Status of Netherlands equipment and materials

1. In conformity with the provisions of Article 7 of the Agreement the Republic of Mozambique will exempt from all import duties and other 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 (including motor vehicles) supplied by the Netherlands Party, will be transferred to the Mozambican Party at the time the cooperation between the two Parties on the Project will be terminated unless both Parties decide to give another destination to the equipment and materials.

Article XI

Review and Evaluation

The Executive Authorities shall review the Project on a yearly basis and shall start a final evaluation in June 2000.

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 shall 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 1 November 1996, on the day of signature by both Parties and shall expire at the end of the period mentioned in article I, paragraph 3, of this Arrangement or on the date on which the Project has been completed in conformity with the provisions of this Arrangement and the Plan of Operations, whichever date is the later.

DONE at Maputo on 9 January 1997 in two originals in the English language.

For the Netherlands Minister for Development Cooperation

(sd.) R. VAN DE GEER

R. van de Geer
Ambassador

For the Mozambican Minister of Foreign Affairs

(sd.) F. V. V. RODRIGUES

F. V. V. Rodrigues
Vice-Minister

Het akkoord is ingevolge zijn artikel XIII op 9 januari 1997 in werking getreden, met terugwerkende kracht vanaf 1 november 1996.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Maputo op 9 januari 1997 tussen de Nederlandse en de Mozambiquaanse bevoegde autoriteiten een administratief akkoord tot stand gekomen betreffende „Water Resources Assessment and Planning Project”. 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 Mozambican Minister of Foreign Affairs, being the competent Mozambican Authority for the purpose of this Administrative Arrangement, hereinafter referred to as “the Mozambican Party”;

Having decided to co-operate in the field of “the Water Sector Capacity Building Programme”;

Having regard to the provision of Article 1 of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the Republic of Mozambique signed at Maputo on July 12, 1984, hereinafter referred to as “the Agreement”,

Have entered into the following Administrative Arrangement:

Article I

The Project

1. The two Parties shall jointly execute a project to be known as “Water Resources Assessment and Planning Project”, hereinafter referred to as “the Project”.

2. The aim of the Project is to establish a self sustaining institutional capacity in the Water Resources Management Department (DRH) of DNA, enabling an effective implementation of the National Water Policy and the Water Law of Mozambique.

The aim of the Project will be achieved through the following specific objectives:

- establishment of a decentralized institutional capacity for operational water resources management outside the ARA Sul region, as “Embryo” ARA’s;
- establishment of a National Water Resources Information and Dissemination Facility;
- development of qualified staff to perform studies and carry out water resources assessment;
- educating qualified staff to perform water resources planning;
- assessment of manpower needs.

3. The aforesaid cooperation between the two Parties is planned to last four years.

Article II

The Netherlands Contribution

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

- Personnel Costs Netherlands’ Team Members;
- Consultancies;
- Investments in WRAP/DNA and the three Embryo ARA’s;
- Training Modular Course Programme. Post Graduate and Msc training and English courses;
- Workshops.

2. The value of the Netherlands contribution is a maximum of NLG 7.800.000,=.

Article III

The Mozambican Contribution

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

- Salary of National Staff

– Operational Costs WRAP/DNA.

2. The value of the Mozambican contribution is a maximum of MZM 3.320.000.000,=, equivalent to NLG 519.000,=.

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 Mozambican Party shall appoint the National Water Directorate (DNA) of the Ministry of Public Works and Housing (MOPH) as the Mozambican Executive Authority in charge of the implementation of the Project.

3. The above-mentioned Netherlands Executive Authority shall be represented in Mozambique, as far as the day to day operations of the Project are concerned, by the Team Leader appointed by the Netherlands Party.

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 immediately 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 Mozambican Executive Authority and shall respect the operational instructions given by said Authority to the Mozambican personnel. The Mozambican 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;
 - the number and duties of the staff appointed by each Party;
 - their job-descriptions;
 - the duration of their assignment;
 - a time-table;
 - a description of the equipment and materials to be made available;
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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 by the Executive Authorities.

Article VIII

Reporting

The Netherlands Team Leader shall submit 6-monthly reports 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 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.

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Article X

Status of Netherlands equipment and materials

1. In conformity with the provisions of Article 7 of the Agreement the Republic of Mozambique will exempt from all import duties and other 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 (including motor vehicles) supplied by the Netherlands Party, will be transferred to the Mozambican Party at the time the cooperation between the two Parties on the Project will be terminated unless both Parties decide to give another destination to the equipment and materials.

Article XI

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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 shall be settled in a way to be decided upon by the latter.

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DONE at Maputo on 9 January 1997 in two originals in the English language.

For the Netherlands Minister for Development Cooperation

(sd.) R. VAN DE GEER

R. van de Geer
Ambassador

For the Mozambican Minister of Foreign Affairs

(sd.) F. V. V. RODRIGUES

F. V. V. Rodrigues
Vice-Minister

Het akkoord is ingevolge zijn artikel XIII op 9 januari 1997 in werking getreden, met terugwerkende kracht vanaf 1 november 1996.

Uitgegeven de zesde mei 1997.

De Minister van Buitenlandse Zaken,

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

INHOUD

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