

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1999 Nr. 151

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de
Volksrepubliek Bangladesh inzake technische samenwerking;
Dacca, 19 mei 1977*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1977, 113.

C. VERTALING

Zie *Trb.* 1977, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35 en, laatstelijk, *Trb.* 1998, 213.

De in rubriek J van *Trb.* 1997, 312 en *Trb.* 1998, 213 afgedrukte administratieve akkoorden van 12 april en 19 juni 1997, en van 16 februari en 28 april 1998 zijn bij brieven van 30 oktober 1998 ter kennis gebracht van de Eerste en de Tweede Kamer der Staten-Generaal.

Het in rubriek J hieronder afgedrukte administratief akkoord behoeft ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen niet de goedkeuring der Staten-Generaal.

G. INWERKINGTREDING

Zie *Trb.* 1978, 35.

J. GEGEVENS

Zie *Trb.* 1980, 77, *Trb.* 1981, 228, *Trb.* 1987, 195, *Trb.* 1988, 163, *Trb.* 1989, 148, *Trb.* 1991, 23 en 190, *Trb.* 1993, 173, *Trb.* 1995, 120, *Trb.* 1996, 180 en 335, *Trb.* 1997, 102 en 312 en *Trb.* 1998, 213.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Dhaka op 3 februari 1999 tussen de bevoegde Nederlandse en Bengaalse autoriteiten een administratief akkoord tot stand gekomen inzake het project Meghna Estuary Study, phase II¹⁾. De tekst van het akkoord luidt als volgt:

Administrative Arrangement

For and on behalf of 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 Ambassador of the Kingdom of the Netherlands at Dhaka,

and

The Government of the People’s Republic of Bangladesh, represented by the Economic Relations Division of the Ministry of Finance, being the competent Bangladesh Authority for the purpose of this Administrative Arrangement, hereinafter referred to as “the Bangladesh Party”.

Having regard

to the provisions of Article I of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the People’s Republic of Bangladesh, signed at Dhaka on 19 May 1977, hereinafter referred to as “the Agreement”,

Have entered into the following Administrative Arrangement:

Article I

The Project

1. The two Parties shall jointly carry out a project, entitled “Meghna Estuary study, phase II”, hereinafter referred to as “the Project”.
2. The aim of the Project is to increase the physical and social security of the population in the coastal areas and on the islands in the Meghna Estuary.
3. The aforesaid cooperation between the two Parties is planned to last two years.
4. Each Party at any time during the implementation of the Project has the right, after due consultation with the other Party, to denounce this Administrative Arrangement if no progress or a lack of progress has been achieved with respect to:

¹⁾ Voor phase I zie *Trb.* 1996, 180, blz. 10.

- the effective financing by the World Bank of the Bank Protection Works identified in the Plan of Operations of the Project and the effective establishment of joint implementation modalities between the Project, the Coastal Embankment Rehabilitation Projects (CERP) and the Bangladesh Water Development Board (BWDB);
 - the institutional changes within the Bangladesh Water Development Board (BWDB) and the Water Resources Planning organization (WARPO), with particular reference to the establishment of a special unit within the BWDB that includes the commercial operation of the survey vessel “Anwasha” and the establishment of the “Estuary and Coastal Zone Planning” section within WARPO;
- or in case the mid term review mentioned in Article XI indicates no progress or a lack of progress with respect to the overall performance of the Project.

Article II

The contribution by the Netherlands Party

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

- Technical Assistance up to a maximum cost of Nlg. 5.655.197,-
- Financial Assistance up to a maximum cost of Nlg. 600.000,-

The total maximum cost of the Netherlands Party contribution is Nlg. 6.255.197,-

Article III

The contribution by the Bangladesh Party

The Bangladesh Party shall make the following contribution to the Project:

- BDT 49,782,000/- for the financing of project personnel and project input equipment and others.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Royal Netherlands Embassy at Dhaka as the Netherlands Executive Authority in charge of the Project. The Netherlands Executive Authority shall be represented in as far as the daily operations under the Project are concerned by the Team Leader.

2. The Bangladesh Party shall appoint the Ministry of Water Resources as the Bangladesh Executive Authority in charge of the Project. The Bangladesh Executive Authority shall be represented, in as far as the daily operations under the Project are concerned, by the Project Director, appointed by the Bangladesh Water Development Board.

Article V

Delegation

Each of the Executive Authorities shall be entitled to delegate under its own responsibility, partly or entirely its duties in connection with the Project to other authorities or organisations. In doing so, the Executive Authorities shall inform each other in writing of any such delegation and of the extent of the delegation.

Article VI

The Team Leader

1. The Netherlands Team Leader shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution.
2. The Team Leader shall act in close consultation with the Bangladesh Executive Authority and shall respect the operational instructions given by the said Authority to the Bangladesh personnel.
3. The Bangladesh 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

The Executive Authorities shall establish by common consent a Plan of Operations stating in detail the contribution of either Party, the number and duties of the advisers, their job-descriptions, the duration of their stay abroad and a description of the equipment and materials to be made available.

The Plan of operations shall include an itemized budget of the contribution of either Party, a time table and lists of equipment and materials to be supplied by either Party, and an operations Priority Scheme.

Article VIII

Status of the Netherlands Staff

The personnel supplied by the Netherlands Party shall enjoy the privileges and immunities mentioned in the Articles II and III of the Agreement.

Article IX

Equipment and Materials

1. The provisions of Article IV and V of the Agreement shall be applicable to the importation and exportation of the equipment and materials provided by the Netherlands Party as well as to the status of the said equipment and materials.

2. Without prejudice to the payment by the Bangladesh Party or the Bangladesh recipient agency of the customs duties and taxes on the equipment and materials supplied by the Netherlands Party, those customs duties and taxes are only due upon the transfer of the equipment and materials to the Bangladesh Party or Bangladesh recipient agency.

The Netherlands Party is in no way under an obligation to pay the customs duties or taxes.

Article X

Reporting

The Team Leader shall in close consultation with the Project Director submit to both Executive Authorities a semi-annual report in English on the progress made in the execution of the Project and on the expenditures of both Executive Authorities. On the termination of the Project the Team Leader shall submit to all parties involved a final report in English on all aspects of the work done in connection with the Project.

Article XI

Evaluation

The Executive Authorities shall jointly review the Project in 1999.

Article XII

Settlement of disputes

Any dispute concerning the interpretation or implementation of this Administrative Arrangement which can not be settled in consultation between both 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 from 1 October 1998 upon 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 of the Project Document, whichever date is the later.

DONE at Dhaka on 3 February 1999 in two originals in the English language

For and on behalf of the Netherlands Minister for Development Cooperation

(sd.) DICK C.B. DEN HAAS

Dick C.B. den Haas
Ambassador of the Kingdom of the Netherlands

For and on behalf of the Government of the People's Republic of Bangladesh

(sd.) DR. MASIHUR RAHMAN

Dr. Masihur Rahman
Secretary, Economic Relations Division
Ministry of Finance

Het akkoord is ingevolge zijn artikel XIII op 3 februari 1999 in werking getreden, met terugwerkende kracht vanaf 1 oktober 1998.

Uitgegeven de *twintigste* augustus 1999.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN