

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1999 Nr. 154

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, laatstelijk, *Trb.* 1998, 282.

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.* 1985, 142.

J. GEGEVENS

Zie *Trb.* 1994, 12, *Trb.* 1997, 103 en 313 en *Trb.* 1998, 282.

Ter uitvoering van artikel 1 van de onderhavige Overeenkomst is te Maputo op 6 april 1999 tussen de Nederlandse en de Mozambikaanse bevoegde autoriteiten een administratief akkoord tot stand gekomen inzake een project ter verbetering van de gezondheidssituatie in de stedelijke gebieden door beter drinkwater („Sistemas de Águas Sustentáveis (SAS)”). 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, here in after 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 'Sustainable improvement of access to safe drinking water at reasonable prices, supplied by systems'.

Having regard to the provision of Article I of the Agreement on Technical Cooperation between the Kingdom of the Netherlands and the People's 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 'Sistemas de Águas Sustentáveis' (SAS), hereinafter referred to as 'the Project'.

2. The aim of the Project is to improve the health situation of the urban, peri-urban and semi-urban population in a sustainable way through improvement of access to safe drinking water at reasonable prices, supplied by systems.

The project is divided in two sub-projects: UrbaNet for the medium piped systems with existing water companies in Angoche, Ilha de Moçambique and Lichinga and CAPS for the small piped systems, two in Nampula province and one each in Cabo Delgado and Niassa provinces.

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

Project objectives of UrbaNet are to support, in the three water companies, the:

1. introduction of the use of business plans;
2. improvement of the management of investment funds;
3. improvement of administrative systems;
4. development towards client oriented water companies;
5. contribution to the further development of the national water policy on urban water.

Project objectives of CAPS are to support the:

1. development of methodologies for sustainable management;
 2. increase of coverage in a phased approach;
 3. assessment of the training needs and organisation of training activities within the sector;
 4. increase of knowledge on Small Piped Systems through applied research;
 5. strengthening of sector communication and co-ordination.
3. The aforesaid cooperation between the two Parties is planned to last three years.

Article II

The Netherlands Contribution

1. The Netherlands Party shall make the following contribution to the Project:
 - the manpower to be made available by the Netherlands will be as expatriate experts:
 - Institutional Strengthening and Human Resource Development specialist and team leader;
 - Community Development and Gender specialist;
 - Economist;
 - Water Engineer;
 - and as National experts:
 - Institutional Strengthening and Human Resource Development Specialist;
 - Co-ordinator pilot projects.
2. The value of the Netherlands contribution is estimated at NLG 11,208,683.–.

Article III

The Mozambican Contribution

1. The Mozambican Party shall make the following contribution to the Project:
 - The Mozambican counterparts of the project are:
 - the National Directorate of Water Affairs (DNA)
 - the Directorate of Public Works and Housing, Department of Water (DPOPH/DA) of Nampula Province
 - DPOPH/DA of Cabo Delgado Province
 - DPOPH/DA of Niassa Province
 - Municipality and Water company of Angoche
 - Municipality and Water company of Ilha de Moçambique
 - Municipality and Water company of Lichinga
 - Client communities of the four to be selected villages for the installation of small water supply systems.

Functionaries of these counterpart organisations and related state organisations, such as district administrations and municipalities where project activities will take place, will be made available temporarily for training and on-the-job activities.

A Support Unit Region North, (UARN) shall be created in which the above mentioned Mozambican intervening authorities shall be represented. This Unit shall be responsible for the co-ordination of the project.

In the UrbaNet project, investments will be made available on condition that the Mozambican counterparts and relevant state authorities (water companies, DPOPH/DA, DNA/DASU) guarantee to contribute 10% of the investment costs.

In the CAPS project, investments will be made available on condition that the Mozambican counterparts and relevant state authorities (client communities, DPOPH/DA, DNA/DAR) guarantee to contribute 10% of the investment costs for new projects.

2. The value of the Mozambican contribution is estimated at NLG 300,000.-.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Royal Netherlands Embassy in Maputo as the Netherlands Executive Authority in charge of the Project.

2. The Mozambican Party shall appoint the DPOPH's of the provinces of Nampula, Cabo Delgado and Niassa as the Mozambican Executive Authorities 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 Authorities and respect the operational instructions given by the said Authorities to the Mozambican personnel. The Mozambican Executive Authorities 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 quarterly reports in the Portuguese 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 Portuguese 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 People's 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 if one of the Authorities deems necessary and shall start an evaluation at the end of the project.

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 the first of October 1998, 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 6 April 1999 in two originals in the English language.

For the Netherlands Minister for Development Cooperation

(sd.) A. C. A. VAN DER WIEL

A. C. A. van der Wiel
Ambassador

For the Mozambican Minister of Foreign Affairs

(sd.) F. V. V. RODRIQUEZ

F. V. V. Rodriquez
Vice-Minister of Foreign Affairs and Co-operation

Het akkoord is ingevolge zijn artikel XIII op 6 april 1999 in werking getreden, met terugwerkende kracht tot 1 oktober 1998.

Uitgegeven de *twintigste* augustus 1999.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN