

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2002 Nr. 125

A. TITEL

*Overeenkomst tussen het Koninkrijk der Nederlanden en de Arabische
Republiek Jemen inzake technische samenwerking;
's-Gravenhage, 3 oktober 1978*

B. TEKST

De tekst van de Overeenkomst is geplaatst in *Trb.* 1978, 182.

C. VERTALING

Zie *Trb.* 1978, 182.

D. PARLEMENT

Zie *Trb.* 1981, 186 en, laatstelijk, *Trb.* 1999, 152.

Het in rubriek J van *Trb.* 1999, 152 afgedrukte administratief akkoord van 2 februari 1999 is bij brieven van 8 oktober 1999 ter kennis van de Eerste en de Tweede Kamer der Staten-Generaal gebracht.

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.* 1981, 186.

J. GEGEVENS

Zie *Trb.* 1981, 237, *Trb.* 1982, 56, *Trb.* 1983, 15, *Trb.* 1984, 20 en 103, *Trb.* 1986, 4, *Trb.* 1987, 12 en 184, *Trb.* 1988, 164, *Trb.* 1989, 149, *Trb.* 1990, 108, *Trb.* 1991, 24 en 191, *Trb.* 1993, 174, *Trb.* 1994, 131, *Trb.* 1995, 121, *Trb.* 1996, 181, *Trb.* 1997, 57, *Trb.* 1998, 112 en 214 en *Trb.* 1999, 152.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Sana'a op 17 juni 2000 tussen de bevoegde Nederlandse en Jemenitische autoriteiten een administratief akkoord tot stand gekomen inzake een project betreffende de steun aan het Directoraat-Generaal voor de ontwikkeling van plattelandsvrouwen (RWDGD).

Administrative Arrangement

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 Her Majesty the Queen of the Netherlands in the Republic of Yemen, Mr. A. J. Meerburg

and

the Yemeni Minister for Agriculture and Irrigation, Mr. Ahmed Salem Al Jabali, being the competent Yemeni Authority for the purpose of this Administrative Arrangement, hereinafter referred to as "the Yemeni Party",

Having decided to co-operate in the Project "Support to the Rural Women's Development General Directorate (RWDGD)",

Having regard to the provisions of Article I of the Agreement on technical cooperation between the Kingdom of the Netherlands and the former Yemen Arab Republic, signed at The Hague on 3 October 1978, 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 "Support to the Rural Women's Development General Directorate (RWDGD)", hereinafter referred to as "the Project".

2. The aim of the Project is to assist the Ministry of Agriculture in the implementation of its policy on gender in agriculture and food security through the provision of financial and technical assistance.

3. The aforesaid cooperation between the two Parties is planned to last 36 months.

Article II

The Netherlands Contribution

1. The Netherlands Party shall provide financial assistance to the RWDGD for training, incentives, equipment and running costs and con-

tingencies to a maximum of NLG 1.869.143,- equivalent of US\$ 805.665,- under project number YE010206.

2. In addition, the Netherlands Party will provide technical assistance to a maximum of NLG 1.939.612,- equivalent of US\$ 862.050,- under project number YE010204 for short-term and long-term consultants as well as training and contingencies.

3. The total expenses of the above mentioned Netherlands contribution shall not exceed the amount of NLG 3.858.755 equivalent to US\$ 1.715.002,-, including an amount of NLG 30.000,- for the external evaluation.

Article III

The Yemeni Contribution

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

- provision of personnel
- provision of office accommodation
- provision of per diem
- provision of stationary
- operation and maintenance of office equipment
- financing of operation and maintenance costs of vehicle (including petrol).

2. The value of the Yemen contribution with respect to personnel costs only, is estimated at YR 4.3500.000,- for the entire project duration.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Netherlands Embassy in Sana'a as the Netherlands Executive Authority in charge of the Project.

2. The Yemeni Party shall appoint the Rural Women's Development General Directorate as the Yemeni Executive Authority in charge of the implementation of the Project.

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 Advisor

The Netherlands Advisor shall be responsible to the Netherlands Embassy for the correct implementation of the Netherlands contribution concerning the technical assistance. The Advisor shall act in close consultation with the Yemeni Executive Authority and respect the operational instructions given by the said Authority to the Yemeni personnel. The Yemeni Executive Authority shall provide the Advisor with any information that may be considered necessary for the execution of the Project.

Article VII

Project Document

1. The Executive Authorities shall establish by common consent a Project Document indicating in detail the contribution of either Party, the number of Netherlands staffmembers and their job-descriptions, the duration of their stay on the Project and a description of the equipment and materials to be made available.

The Project Document shall include a budget concerning each item of the contribution of either Party, a time-table and lists of equipment and materials to be supplied by either Party.

2. The Project Document shall form an integral part of this Administrative Arrangement.

3. The Project Document may be amended by the Executive Authorities in common agreement.

Article VIII

Status of the Netherlands Staff

The Netherlands staff to this Project shall enjoy the privileges and immunities, mentioned in Articles II and III of the Agreement.

Article IX

Status of the Netherlands equipment and materials

1. The provision of Article V 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 (inclusive motor-vehicles) supplied by the Netherlands Party, will be transferred to the Yemeni party at the time the cooperation between the two Parties on the Project will be completed unless both Parties decide to give another destination to the equipment and materials.

Article X

Reporting

The RWDGD shall submit bi-annual reports in the English language on the progress made on the execution of the Project to both Executive Authorities. At the termination of the Project the Director General of the RWDGD and the Netherlands Advisor shall submit to all parties concerned a joint final report in the English language on all aspects of the work done in connection with the Project.

Article XI

Evaluation

The Executive Authorities will evaluate the Project two and half years after the start 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 in a way to be decided upon by the latter.

Article XIII

Entry into force and duration

This Administrative Arrangement shall enter into force on May 1st, 2000 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 Sana'a on the 17th day of June 2000 in two originals in the English language.

For the Minister for Development Cooperation of the Netherlands

(sd.) A. J. MEERBURG

A. J. Meerburg
Ambassador of the Kingdom of the Netherlands

For the Minister of Planning and Development of the Republic of Yemen

(sd.) AHMED SALEM AL JABALI

Mr. Ahmed Salem Al Jabali
Minister for Agriculture and Irrigation of the Republic of Yemen

Het akkoord is op 17 juni 2000 in werking getreden, met terugwerkende kracht vanaf 1 mei 2000.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Sana'a op 24 juni 2000 tussen de bevoegde Nederlandse en Jemenitische autoriteiten een administratief akkoord tot stand gekomen inzake de verschaffing van reserve-onderdelen en materialen aan een zevental afdelingen van de „National Water and Sanitation Authority” (NWSA). De tekst van het akkoord luidt als volgt:

Administratieve Arrangement

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 His Excellency the Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the Netherlands in the Republic of Yemen, Eng. Arend Meerburg

and

the Yemen Minister of Electricity and Water, Eng. Ali Hameed Sharaf, being the competent Yemen Authority for the purpose of this Administrative Arrangement, hereinafter referred to as “the Yemen Party”,

Having decided to co-operate in the Project “NWSA Spare Parts and Materials”,

Having regard to the provisions of Article I of the Agreement on technical co-operation between the Kingdom of the Netherlands and the

Yemen Arab Republic, signed at the Hague on 3 October 1978, 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 “NWSA Spare Parts and Materials”, hereinafter referred to as “the Project”.

2. The development objective of the Project is:

Strengthening and improvement of the performance of a number of existing branches of the National Water and Sanitation Authority (NWSA) through the provision of spare parts and materials to these branches.

3. More specifically the Project will enable the branches of Al Hodeidah, Aden, Dhamar, Al Baidha, Ibb, Ataq and Hadramout to rehabilitate and extend the watersupply and sanitation systems by supplying these branches with the required spare parts and materials. Eventually this will help the selected NWSA Branches to improve the level of the water supply and sanitation services which can be seen as a condition to decentralisation of the management of these branches.

4. The aforesaid co-operation between the two Parties is planned to last from February 1st 1998 to December 31st 2001.

Article II

The Netherlands Contribution

With respect to the financing of the Project it has been agreed that:

1. The maximum Netherlands contribution shall be NLG 12.000.000,-

a) NLG 3.242.898,- (YE018801) is reserved for:

- Consultancy for the assessment and specification of materials requested (NLG 144.600,-).

- Financial assistance through NIO for the supply of pipes and fittings for a new transport main for the water supply for Al-Hodeidah (NLG 2.940.000,-).

- Procurement of materials for the Al-Baidha water supply (USD 72.826,- equivalent to Dfl. 152.935,-).

- Consultancy for the procurement for Al Baidha (NLG 5.363,-).

b) NLG 8.757.102,- (YE018803) is reserved for the procurement of spare parts and materials (first contract NLG 5.774.000,-) and other procurement – contracts and technical assistance.

Article III

The Yemen Contribution

The Yemeni contribution shall consist of the proper installation and use of the provided spare parts and materials by the NWSA Branches.

Article IV

The Executive Authorities

1. The Netherlands Party shall appoint the Royal Netherlands Embassy at Sana'a as the Netherlands Executive Authority in charge of the Project.

2. The Yemen Party shall appoint the Ministry for Electricity and Water as the Yemen Executive Authority in charge of the implementation of the Project.

3. The Yemeni Executive Authority will be responsible for the procurement of pipes and fittings for a new transport main for the Al Hodeida Drinking water supply system with payment through the NIO-bank. Civil works will be implemented through the Public Works Project of the World Bank.

4. The Netherlands Executive Authority will assign a specialized agency who will be responsible for the procurement of the spare parts and materials.

Article V

Project Document

1. The Executive Authorities have established by common consent two Project Documents called:

- Al Hodeidah Emergency Water Supply Project, Dar Al Handasah, 1997,
 - Supply of Spare Parts for 7 NWSA branches, DHV, 1997,
- giving in detail specifications of the spare parts and materials to be made available.

2. The Project Documents shall form an integral part of this Administrative Arrangement.

3. The Project Documents may be amended by the Executive Authorities in common agreement.

Article VI

Status of the Netherlands Staff

Eventual Netherlands and International staff to this Project shall enjoy the privileges and immunities, mentioned in the Articles II and III of the Agreement.

Article VII

Status of the procured spare parts and materials

The provisions of Article V of the Agreement shall be applicable to the importation of the procured spare parts and materials for the Project.

Article VIII

Evaluation

The Executive Authorities will evaluate the Project at the end of the Project's duration.

Article IX

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 in a way to be decided upon by the latter.

Article X

Entry into force and duration

This Administrative Arrangement shall enter into force, with retroactive effect to February 1st, 1998, 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 provisions of this Arrangement.

DONE at Sana'a in two originals in the English language.

Date: 20 June 2000

For the Netherlands Minister of Development Cooperation
the Ambassador

(sd.) A. MEERBURG

Arend Meerburg

Date: 24 June 2000

The Minister of Electricity and Water of the Republic of Yemen

(sd.) ALI HAMEED SHARAF

Ali Hameed Sharaf

Het akkoord is ingevolge zijn artikel X op 24 juni 2000 in werking getreden, met terugwerkende kracht tot 1 februari 1998.

Uitgegeven de *elfde* juli 2002.

De Minister van Buitenlandse Zaken,

J. J. VAN AARTSEN

INHOUD

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