

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2006 Nr. 23

A. TITEL

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

B. TEKST

De Engelse tekst van de Overeenkomst is geplaatst in *Trb.* 1977, 113.
Voor de teksten van de verschillende administratieve akkoorden ter
uitvoering van de onderhavige Overeenkomst zie de rubrieken J van de
in rubriek J hieronder genoemde Tractatenbladen.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te
Dhaka op 27 september 2005 tussen de bevoegde Nederlandse en Ben-
gaalse autoriteiten een administratief akkoord tot stand gekomen inzake
het project „Char Development and Settlement Project III (CDSP III)”.
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”, repre-
sented in this matter by the Ambassador of the Royal Netherlands
Embassy in Dhaka,

and

The Economic Relations Division of the Ministry of Finance, being
the competent Bangladesh Authority for the purpose of this Administra-
tive Arrangement, hereinafter referred to as “the Bangladesh Party”,

HAVING REGARD to the provisions of Article I of the Agreement on Technical Co-operation 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 "Char Development and Settlement Project III", hereinafter referred to as "the Project".

2. The aim of this Project is to contribute to the coastal development in Bangladesh in the framework of Integrated Coastal Zone Management (ICZM) and to improve the economic and social situation of the people living in the char areas

3. The aforesaid co-operation between the two Parties is planned to last four years i.e. from 1 July 2005 to 30 June 2009.

Article II

(The contribution by the Netherlands Party)

The Netherlands Party shall make the following (maximum) contributions to the Project:

- BDT 787.473.028,- of Financial Assistance under a Contribution Arrangement;
- BDT 131.214.380,- for an NGO component of the Project, through direct contracting by the Embassy;
- Euro 3 million for Technical Assistance, through direct contracting by the Embassy;
- Euro 100.000 for review mission(s) of the Project, to be contracted directly by the Embassy.

Article III

(The contribution by the Bangladesh Party)

The Bangladesh Party shall make BDT 236.866.000,- available to the Project.

Article IV

(The Executive Authorities)

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

The Netherlands Executive Authority shall be represented, as far as the daily operations of the Project are concerned, by the Leader of the Technical Assistance Team (being the Chief Technical advisor or in his absence the Team Leader, hereinafter referred to as “CTA/TL”).

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 of the Project are concerned, by the Project Director.

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 CTA/TL)

1. The CTA/TL shall be responsible to the Netherlands Executive Authority for the correct implementation of the Netherlands contribution.

2. The CTA/TL 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 CTA/TL with any information that may be considered necessary for the execution of the Project.

Article VII

(The Schedule of Operations)

1. The Executive Authorities shall establish in common agreement a Schedule 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.

2. The Schedule of Operations shall form an integral part of this Administrative Arrangement.

3. The Schedule of Operations may be amended in common agreement by the Executive Authorities.

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 import and export 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 custom duties and taxes are 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 CTA/TL and the Project Director shall submit to both Executive Authorities a semi-annual report in English every six months from 1 July 2005 on the progress made in the execution of the Project and on the expenditure incurred by both Parties. Approval or rejection of expenditures made from the Netherlands contribution is entirely and solely at the discretion of the Netherlands Executive Authority. On termination of the Project, the CTA/TL and the Project Director 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 have the Project evaluated through a joint mid-term review mission, to be conducted in 2007.

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 on the day of signature by both Parties and shall expire at the end of the period mentioned in Article 1, 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 27 September 2005 in two originals in the English language both texts being equally authentic.

For and on behalf of the Netherlands Minister for Development Cooperation

K. BEEMSTERBOER
Ambassador
Royal Netherlands Embassy
Dhaka

For and on behalf of the Government of the People's Republic of Bangladesh, the Economic Relations Division of the Ministry of Finance

S. ISLAM
Joint Secretary

C. VERTALING

Zie *Trb.* 1977, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35, *Trb.* 1999, 151, *Trb.* 2001, 158 en *Trb.* 2004, 171.

Bij brieven van 14 februari 2005 is het op 2 november 2003 in werking getreden administratief akkoord van diezelfde datum (tekst in rubriek J van *Trb.* 2004, 171) medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal.

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

G. INWERKINGTREDING

Zie *Trb.* 1978, 35 en voor de inwerkingtredingen van de administratieve akkoorden de rubrieken J van de in rubriek J hieronder genoemde Tractatenbladen.

De bepalingen van het administratief akkoord zijn ingevolge artikel XIII van het akkoord in werking getreden op 27 september 2005.

Wat betreft het Koninkrijk der Nederlanden, geldt het administratief akkoord alleen voor Nederland.

De bepalingen van voornoemd akkoord zullen ingevolge artikel 1, derde lid, buiten werking treden op 30 juni 2009.

J. VERWIJZINGEN

Voor verwijzingen en andere verdragsgegevens 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, *Trb.* 1998, 213, *Trb.* 1999, 151, *Trb.* 2001, 158 en *Trb.* 2004, 171.

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse

Zaken bepaald dat het Verdrag zal zijn bekendgemaakt in Nederland op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *tiende* februari 2006.

De Minister van Buitenlandse Zaken,

B. R. BOT