

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2016 Nr. 9

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 *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240, *Trb.* 2012, 217, *Trb.* 2013, 46 en de rubrieken J van de in rubriek J hieronder genoemde Tractatenbladen.

In *Trb.* 2012, 217 dienen de volgende correcties te worden uitgevoerd.

Op blz. 2, in artikel II, derde gedachtenstreepje, tweede regel, dient tussen „Project” en „Proforma” een spatie te worden ingevoegd.

Op blz. 4, in artikel VIII, tweede regel, dient tussen „III” en „of” een spatie te worden ingevoegd.

Op blz. 5, in artikel X, tweede regel, dient „a” en „n” te worden gewijzigd in „an”.

In *Trb.* 2013, 46 dient de volgende correctie te worden uitgevoerd.

Op blz. 5, in artikel XI, derde regel, dient „missions” te worden gewijzigd in „mission”.

Ter uitvoering van artikel I van de onderhavige Overeenkomst is te Dhaka op 11 februari 2014 tussen de bevoegde Nederlandse en Bengaalse autoriteiten een administratief akkoord tot stand gekomen inzake het project „Formulation of the Bangladesh Delta Plan 2100”. De Engelse tekst van het akkoord luidt als volgt:

Administrative Arrangement

The Minister for Foreign Trade and Development Cooperation of the Netherlands, 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 in Dhaka, Bangladesh

and

The Economic Relations Division of the Ministry of Finance of the People’s Republic of Bangladesh, 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 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 “Formulation of the Bangladesh Delta Plan 2100”, hereinafter referred to as “the Project”;

2. The aim of the Project is to formulate a holistic and strategically integrated longer term plan for the country for a time frame of 50-100 years. The objective of the plan is to design an overarching planning framework which will facilitate sustained economic growth including achievement of Middle Income Country Status by

2021, equitable distribution of available resources and development works, climate change adaptation and mitigation, disaster management, integrated water resources management etc.;

3. The aforesaid co-operation between the two Parties is planned to last for 30 months from the date of signing this Administrative Arrangement by both the parties or commencement of the Technical Assistance Consultancy works whichever is the latest.

Article II

(The contribution by the Netherlands Party)

The Netherlands Party shall make a maximum contribution of € 7,700,000 to the Project in the following manner:

- € 900,000 of grant financing to be administered by the General Economic Division (GED);
- € 6,800,000 for Technical Assistance, through direct contracting by the Netherlands Party.

The Netherlands Party's contribution will become available on the condition that:

- The Bangladesh party shall have approved the Technical Project Proforma (TPP) for the Project as per agreed Project Document,
- The General Economic Division (GED) shall have appointed the Project Director.

Article III

(The contribution by the Bangladesh Party)

The Bangladesh Party shall make Bangladesh Taka 114,000,000 available to the Project.

Article IV

(The Executive Authorities)

1. The Netherlands Party shall appoint the Embassy of the Kingdom of the Netherlands 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 Team Leader or in his absence the Deputy Team Leader, hereinafter referred to as "TL/DTL");

2. The Bangladesh Party shall appoint the General Economic Division of the Planning Commission, Ministry of Planning 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 TL/DTL)

1. The 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 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 TL/DTL and the Project Director shall submit to both Executive Authorities an annual report in English. The first annual report on the progress made in the execution of the Project and on the expenditure incurred by both Parties will cover the period from start till 30 June 2014; subsequent annual reports will follow the Bangladesh Fiscal Year, i.e. cover the period from 1 July till 30 June of the next year. The information on the TA budget expenditure will be shared with the Bangladesh Party. The approval or rejection of expenditures made from the Netherlands contribution is entirely and solely at the discretion of the Netherlands Executive Authority. On completion of the Project, the TL/DTL 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. All reports including the final report of the project will be provided to the Bangladesh Party also.

Article XI

(Evaluation)

The Executive Authorities shall have the Project reviewed through a joint Mid-Term Review mission; the timing and the ToR of this mission will be determined by both Executive Authorities.

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 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 (TPP), whichever date is the later.

DONE at Dhaka in two originals in the English language both texts being equally authentic.

For the Netherlands Party:

G. S. de Jong
Ambassador
of the Kingdom of the Netherlands
Dhaka

Dated: 9 February 2014

For the Bangladesh Party:

Mohammad Mejbahuddin
Secretary, ERD
Ministry of Finance
Dhaka

Dated: 11 February, 2014

C. VERTALING

Zie *Trb.* 1977, 113.

D. PARLEMENT

Zie *Trb.* 1978, 35, *Trb.* 1999, 151, *Trb.* 2001, 158, *Trb.* 2004, 171, *Trb.* 2006, 23 (herdruk) en *Trb.* 2011, 240, *Trb.* 2012, 217 en *Trb.* 2013, 46.

Het in rubriek B hierboven geplaatste administratief akkoord van 11 februari 2014 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, *Trb.* 2006, 23 (herdruk), *Trb.* 2011, 240, *Trb.* 2012, 217, *Trb.* 2013, 46 en voor de inwerkingtredingen van de administratieve akkoorden de rubriek J van de in rubriek J hieronder genoemde Tractatenbladen.

De bepalingen van het administratief akkoord zijn ingevolge artikel XIII van het administratief akkoord in werking getreden op 11 februari 2014. De bepalingen van voornoemd akkoord zullen ingevolge artikel 1, derde lid, van het akkoord buiten werking treden op 11 augustus 2016.
Wat betreft het Koninkrijk der Nederlanden, geldt het administratief akkoord alleen voor Nederland (het Europese deel).

Koninkrijk der Nederlanden

Overeenkomst van 19 mei 1977

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		24-02-1978		
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten				

Koninkrijk der Nederlanden

Administratief akkoord van 11 februari 2014

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		11-02-2014		11-02-2016
Nederland (Bonaire)				
Nederland (Sint Eustatius)				
Nederland (Saba)				
Aruba				
Curaçao				
Sint Maarten				

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens zie *Trb.* 1980, 77, *Trb.* 1981, 228, *Trb.* 1987, 195, *Trb.* 1988, 163, *Trb.* 1989, 148, *Trb.* 1991, 23, *Trb.* 1991, 190, *Trb.* 1993, 173, *Trb.* 1995, 120, *Trb.* 1996, 180, *Trb.* 1996, 335, *Trb.* 1997, 102, *Trb.* 1997, 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 administratief akkoord van 11 februari 2014 zal zijn bekendgemaakt in Nederland (het Europese deel) op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *negenentwintigste* januari 2016.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS