

No. 17945

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**NETHERLANDS**  
**and**  
**SENEGAL**

**Convention on co-operation on technical, scientific, training and economic assistance for the development of basic health services in Senegal. Signed at Dakar on 28 October 1977**

**Exchange of notes constituting an agreement relating to the above-mentioned Convention. Dakar, 28 October 1977**

*Authentic texts: French.*

*Registered by the Netherlands on 17 August 1979.*

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**PAYS-BAS**  
**et**  
**SÉNÉGAL**

**Convention relative à la coopération sur l'assistance technique, scientifique, didactique et économique pour le développement des services de santé de base au Sénégal. Signée à Dakar le 28 octobre 1977**

**Échange de notes constituant un accord relatif à la Convention susmentionnée. Dakar, 28 octobre 1977**

*Textes authentiques : français.*

*Enregistrés par les Pays-Bas le 17 août 1979.*

## [TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> ON CO-OPERATION BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE REPUBLIC OF SENEGAL ON TECHNICAL, SCIENTIFIC, TRAINING AND ECONOMIC ASSISTANCE FOR THE DEVELOPMENT OF BASIC HEALTH SERVICES IN SENEGAL

## PREAMBLE

The Government of the Kingdom of the Netherlands and the Government of the Republic of Senegal,

Desiring to co-operate in a project for the development of basic health services in Senegal;

Have agreed as follows:

*Article I.* The Contracting Parties undertake to co-operate in the development of basic health services, as described in the health guidelines for the fourth economic and social development plan of Senegal.

*Article II.* 1. To that end, the Contracting Parties undertake to focus primarily on the training of auxiliary and peripheral health personnel, and on the supervision and evaluation of their field work. The aim is to teach the “village committee appointees” basic health principles. They will have both to provide the most urgent medical care and to visit the inhabitants at home and advise them on matters of health; they may also be called upon to administer and monitor treatment prescribed by the health stations and health centres, to promote the use of health stations by the sick and to assist visiting health officers in their work, e.g., the registration of deaths and births.

2. The chief medical officer of the health centre shall be responsible for the initial training of the appointees. This training may be carried out by State nurses and midwives, assisted by Netherlands personnel. The State nurses and the visiting officers of the health stations shall in their turn receive the necessary training for their work of providing health education for the appointees both in the health centres and in the field.

The chief medical officer of the health centre, assisted by the Netherlands team, shall be responsible for providing this training.

*Article III.* The Government of the Kingdom of the Netherlands undertakes:

- To provide the Netherlands personnel required for the duties specified in this project;
- To provide the medical and training equipment, and the supplies and transport required for carrying out this project.

The amount of the Netherlands contribution shall not exceed f. 1,500,000 (one million five hundred thousand guilders).

*Article IV.* The Government of the Republic of Senegal undertakes:

- To provide the Netherlands team with the necessary personnel for the duties specified in this project,
- To supply the necessary buildings for the implementation of the project.

<sup>1</sup> Came into force on 16 March 1979, the date of receipt of the last of the notifications by which the Parties informed each other in writing of the completion of the required constitutional procedures, with retroactive effect from 1 January 1977, in accordance with article XIV (a).

*Article V.* Under this project the Government of the Republic of Senegal shall:

- (a) Exempt all remuneration paid by the Netherlands Government from all taxes and other fiscal charges;
- (b) Exempt the Netherlands personnel from import and customs duties on new or used furniture and personal effects and on professional equipment, imported into Senegal within six months of their arrival or that of their family members, provided such goods are re-exported from Senegal at the time of departure or within such period as may be agreed with the Government of the Republic of Senegal;
- (c) Make provision for duty-free importation of one motor vehicle purchased from bond by the Netherlands personnel within six months of first arrival in Senegal, provided that such a vehicle, if sold to a person not likewise privileged, shall be subject to payment of an appropriate import duty based on the estimated value of the vehicle at the time of sale;
- (d) Make provision for the issue of entry visas and work permits, free of charge, to the Netherlands personnel employed or to be employed by the Netherlands Government to carry out the project;
- (e) Exempt the Netherlands personnel or their family members from national service obligations;
- (f) Grant the Netherlands personnel, in respect of remuneration paid by the Netherlands authorities, the most favourable exchange facilities, e.g., those for external accounts;
- (g) Offer the Netherlands personnel and their families in Senegal repatriation facilities in time of national or international crisis;
- (h) Provide the Netherlands personnel with identity documents guaranteeing them the full support of the appropriate authorities in Senegal in the performance of their duties.

*Article VI.* (a) The Government of the Republic of Senegal shall hold harmless the Government of the Kingdom of the Netherlands and the Netherlands experts, advisers, agents and employees against any civil liability in the exercise of their functions.

(b) The Government of the Republic of Senegal shall undertake to provide compensation for any damage caused to third parties by one or more of the said individuals in the exercise of their functions, unless such damage results from wilful misconduct or is the result of gross negligence, in which case the matter shall be dealt with by the competent Senegalese authority in consultation with the head of the Netherlands diplomatic mission.

The Senegalese Party shall ensure that the Netherlands personnel have third-party insurance covering acts wilfully committed by them or resulting from gross negligence on their part.

(c) If the Government of the Republic of Senegal so requests, the Government of the Kingdom of the Netherlands shall provide the competent authorities of Senegal with the administrative or judicial assistance required for reaching a satisfactory solution of any problems that may arise from the application of paragraphs (a) and (b) of this article.

*Article VII.* 1. The competent Netherlands authority, namely, the Netherlands Minister for Co-operation for Development, shall designate the Directorate for International Technical Assistance of the Ministry of Foreign Affairs of the Kingdom of the Netherlands as the Netherlands executive authority in charge of the project. For daily activities under the project, the Netherlands executive authority shall be represented in Senegal by the team leader appointed from among the Netherlands advisers.

2. The competent Senegalese authority, namely, the Minister for Planning and Co-operation, shall designate the Public Health Service Directorate of the Senegalese Ministry of Public Health and Social Affairs as the Senegalese executive authority in charge of implementing the project.

*Article VIII.* 1. The competent authorities of the two Parties shall establish a plan of action.

2. This plan of action shall deal with the following matters:

- The territory (*département*) and its boundaries;
- A detailed plan for developing basic health services, confined to the training of the personnel necessary for implementing and developing the proposed operation, including monitoring and evaluation;
- Precise personnel requirements, by year and *in toto*;
- Procedures for the selection of trainees;
- Training materials;
- Requirements in terms of vehicles and other means of transport;
- Medicaments and other necessities for providing the proposed medical and health care services;
- The training programme with the curricula for the courses, demonstrations, etc;
- Detailed description of budgetary funds;
- A timetable for the work to be done.

3. Twelve months after the start of activities under this project, a revised plan of action shall be prepared, covering all the items in paragraph 2 of this article.

*Article IX.* The Government of the Republic of Senegal shall exempt the equipment (including motor vehicles) and all other articles provided by the Netherlands Government under this project from all import and export duties and other fiscal charges.

*Article X.* All equipment and materials provided by the Netherlands Government under this project shall remain the property of the Netherlands Government for the duration of the project and shall be transferred to the Government of the Republic of Senegal on the conclusion of the co-operation between the two Governments for this project.

*Article XI.* The Contracting Parties undertake to establish a mixed Senegalese-Netherlands commission to assist the project personnel and evaluate the results. The membership of this commission, its functions and all other relevant details shall be specified in the plan of action referred to in article VIII.

*Article XII.* The team leader and his Senegalese counterpart shall submit to both executive authorities and to the mixed commission referred to in article XI a quarterly report in the French language on the progress of work under the project. On the termination of the project, they shall submit to all the parties concerned a final report in the French language on all the aspects of the work done under the project.

*Article XIII.* Any dispute concerning the interpretation or implementation of this Convention which cannot be settled by consultation shall be settled by the Contracting Parties in the manner to be determined by them.

*Article XIV.* (a) This Convention shall enter into force on the date on which the two Governments have informed each other in writing that the constitutional procedures required in the two countries have been completed, with retroactive effect from 1 January 1977.

(b) This Convention shall remain in force for a period of three years. It shall be tacitly renewed for a period of two years, unless it is denounced three months before the end of the three-year period.

Subject to three months' notice, each Government shall have the right to denounce this Convention at any time.

(c) With respect to the Kingdom of the Netherlands this Convention shall apply only to the Kingdom in Europe.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto, have signed the present Convention.

DONE at Dakar on 28 October 1977, in duplicate, in the French language.

For the Government  
of the Kingdom of the Netherlands:

[Signed]

EMERIC EITEL SYDNEY DE JONGH  
Ambassador of the Kingdom  
of the Netherlands

For the Government  
of the Republic of Senegal:

[Signed]

DOUDOU NGOM  
Minister for Public Health  
and Social Action

## [TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE REPUBLIC OF SENEGAL RELATING TO THE CONVENTION ON CO-OPERATION OF 28 OCTOBER 1977 ON TECHNICAL, SCIENTIFIC, TRAINING AND ECONOMIC ASSISTANCE FOR THE DEVELOPMENT OF BASIC HEALTH SERVICES IN SENEGAL<sup>2</sup>

## I

The Royal Netherlands Embassy presents its compliments to the Ministry of Foreign Affairs of the Republic of Senegal and, with reference to the signing today of the Convention on co-operation between the Kingdom of the Netherlands and the Republic of Senegal on technical, scientific, training and economic assistance for the development of basic health services in Senegal, has the honour to submit to it, on behalf of the Government of the Kingdom of the Netherlands, the following supplementary provision applicable to the Netherlands personnel who have been or will be made available to Senegal under the Convention: "The Government of the Republic of Senegal shall grant to the Netherlands personnel immunity from criminal proceedings in respect of involuntary offences committed while acting in their official capacity. Netherlands personnel shall, however, remain liable in civil and criminal proceedings for violations of the laws and regulations in force in Senegal, committed while not acting in their official capacity."

If the Government of the Republic of Senegal agrees to this proposal, the Embassy proposes that this note together with the affirmative reply of the Ministry shall be considered as constituting an agreement between the Government of the Kingdom of the Netherlands and the Government of the Republic of Senegal, to enter into force on the same day as the aforesaid Convention with retroactive effect from 1 January 1977, and shall expire at the same time as the Convention.

The Royal Netherlands Embassy, etc.

The Ministry of Foreign Affairs  
of the Republic of Senegal  
Dakar

## II

The Ministry of Foreign Affairs of the Republic of Senegal presents its compliments to the Royal Netherlands Embassy at Dakar, and has the honour to acknowledge receipt of its note verbale which reads as follows:

<sup>1</sup> Came into force on 16 March 1979, the date of entry into force of the Convention with retroactive effect from 1 January 1977, in accordance with the provisions of the said notes.

<sup>2</sup> See p. 68 of this volume.

[*See note 1*]

The Ministry of Foreign Affairs of the Republic of Senegal has the honour to confirm to the Embassy that the above-mentioned proposal is acceptable to the Republic of Senegal.

The Ministry of Foreign Affairs of the Republic of Senegal, etc.

The Royal Netherlands Embassy  
Dakar

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