

No. 24652

NETHERLANDS
and
IRAQ

**Agreement on economic and technical co-operation. Signed
at Baghdad on 31 October 1983**

Authentic texts: Dutch, Arabic and English.

Registered by the Netherlands on 25 March 1987.

PAYS-BAS
et
IRAQ

**Accord de coopération économique et technique. Signé à
Bagdad le 31 octobre 1983**

Textes authentiques : néerlandais, arabe et anglais.

Enregistré par les Pays-Bas le 25 mars 1987.

AGREEMENT¹ ON ECONOMIC AND TECHNICAL COOPERATION BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE REPUBLIC OF IRAQ

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

Desiring to strengthen the ties of friendship between their countries and to further economic and technical cooperation on the basis of equality and to the mutual benefit of both countries,

Have decided to conclude an agreement and for that purpose have appointed as their plenipotentiaries:

His Excellency Mr. Jonkheer David M. Schorer, Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the Netherlands at Baghdad, and

His Excellency Mr. Frits Bolkestein, Minister for Foreign Trade of the Kingdom of the Netherlands,

His Excellency Mr. Hassan Ali, Member of the Revolutionary Command Council, Minister of Trade of the Government of the Republic of Iraq,

who having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

Article one. The two Governments shall, in conformity with applicable laws and regulations existing in either country, encourage and develop economic and technical cooperation between their two countries.

Article two. The two Governments shall encourage the interested companies and organizations of their countries to consider establishing cooperative links between them, having regard to the needs and the opportunities open to the two countries and to the objectives of this Agreement.

The two Governments shall facilitate, within their possibilities, the implementation of contracts and arrangements resulting from the abovementioned cooperative links.

Article three. Having in mind the objective set out in Article one of this Agreement the two Governments shall endeavour to promote and expand their economic and technical cooperation *inter alia* in the following fields:

- Industry and mining including oil industry and petrochemicals;
- Generation, transmission and distribution of electric power;
- Sewage treatment and water supply;
- Agriculture, animal husbandry, horticulture and fishing;
- Rural development;
- Water management;
- Housing and construction;
- Transport and communications;
- Engineering, consultancy and other services;

¹ Came into force on 1 September 1986, i.e., the first day of the second month following the date (2 July 1986) on which the Parties had informed each other in writing of the completion of the required constitutional procedures, in accordance with article 10 (1).

- Health and medicine;
- Transfer of technology and
- Infrastructure.

Article four. 1. The two Governments shall use their best endeavours to promote technical cooperation, including the transfer of modern technology between relevant organizations and commercial enterprises, in order to further economic cooperation.

2. Technical cooperation may be implemented in the following forms:

- a. Exchange of visits of specialized personnel.
- b. Study and/or research of Iraqi advanced students and young graduates at Netherlands Universities of technology and at the Agricultural University.
- c. Specialist mid-career training of Iraqis in the framework of post-graduate courses of international education in the Netherlands, *inter alia* in agricultural fields;
- d. The provision of other training facilities, in particular in sectors related to agriculture and engineering industries;
- e. The provision of Netherlands technical expertise for the establishment in Iraq of technical industries concerning agriculture, industry and engineering consultancy in design and construction;
- f. The exchange of scientific and technical information;
- g. Such other forms of technical cooperation as the two Governments may mutually arrange;
- h. Transfer of modern technologies, especially through the planning and construction of industrial plants and through the exchange of patents, licences, know-how and technical data as well as through consultancy.

Article five. 1. The two Governments shall promote the trade between their countries with the aim to realize a constant expansion and diversification of the commercial exchange. They shall support the conclusion of long term contracts of mutual benefit especially those relating to the supply and purchase of goods and the rendering of services between companies and organizations of their countries, in accordance with the laws and regulations in force.

2. The Government of the Kingdom of the Netherlands shall facilitate the promotional activities of Iraqi organizations engaged in exporting Iraqi products to the Netherlands.

Article six. Each Government undertakes to facilitate with regard to the other, to the extent permitted by its legislation, the holding in its territory by the other or by nationals of the other country of commercial exhibitions and displays.

Article seven. 1. For the purpose of promoting the aims of this Agreement a Governmental Joint Commission which shall consist of representatives designated by each Government is hereby established. Upon decision of the respective delegations to the Joint Commission, experts or representatives of interested companies or organizations of the two countries may be invited to participate, in an advisory capacity, in the meetings of the Joint Commission.

2. The Joint Commission shall meet at the request of either Government at a date to be mutually agreed upon. The meetings shall be held alternately in the Netherlands and in Iraq, preferably on an annual basis.

3. The Joint Commission shall:

- a. Review and keep under consideration the implementation of the provisions of this Agreement;
- b. Examine means of facilitating the conclusion and implementation of contracts;
- c. Consider proposed measures for the trade-promotion and for the expansion of economic and technical cooperation between relevant organizations and commercial enterprises;
- d. Encourage and facilitate the exchange of ideas and information in the fields of technology;
- e. Review progress in the promotion of technical cooperation and discuss any cost-sharing arrangements for such technical cooperation;
- f. Prepare programs of technical cooperation.

4. The Joint Commission may appoint specialized working-groups to deal with cooperation in particular sectors. The working-groups shall report to the Joint Commission.

5. The Joint Commission may submit to the two Governments recommendations relating to the matters referred to in paragraph three of this Article.

Article eight. Disputes which might arise out of contracts concluded between companies and organisations of the two countries may be examined by the Joint Commission established according to Article seven of the Agreement, without prejudice to the right of the parties to a dispute to have recourse to specific provisions for the settlement of disputes provided in the said contracts or, in the case of absence of such provisions, to any other form of settlement at the choice of the parties concerned.

Article nine. In case of termination of the present Agreement, the foregoing articles thereof shall continue to be effective until the contracts, concluded under the terms of the present Agreement, have been implemented.

Article ten. 1. The present Agreement shall enter into force on the first day of the second month following the date on which the two Governments have informed each other in writing that the procedures constitutionally required therefor in their respective countries have been complied with, and shall remain in force for a period of five years.

2. Unless notice of termination has been given by either Government at least six months before the date of the expiry of its validity, the present Agreement shall be extended tacitly for periods of one year. Each Government reserves the right to terminate the Agreement upon notice of at least six months before the date of expiry of the current period of validity.

Article eleven. Either Government may propose to modify the present Agreement. The other Government shall give its opinion on the proposed modification within ninety days from the receipt [of] such proposal. Modifications will enter into force in accordance with Article ten of this Agreement.

DONE in Baghdad on the 31st day of October 1983, in two originals, in Dutch, Arabic and English, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

For the Government
of the Kingdom of the Netherlands:

F. BOLKESTEIN
D. M. SCHORER

For the Government
of the Republic of Iraq:

HASSAN ALI