ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1994, No. 5

Resolution Ratifying the Framework Agreement on Technical and Scientific Cooperation between the Government of Antigua and Barbuda and the Government of the Republic of Chile.

WHEREAS the Ratification of the Treaties Act, 1987 (No. 1 of 1987) provides in section 3(1) that where a Treaty to which Antigua and Barbuda becomes a party is one which affects or concerns the relationship of Antigua and Barbuda with any international organization, agency or association or similar body, such Treaty shall not enter into force with respect to Antigua and Barbuda unless it has been ratified or its ratification has been authorised or approved in accordance with the provisions of the Act;

AND WHEREAS the Framework Agreement on Technical and Scientific Cooperation between the Government of Antigua and Barbuda and the Government of the Republic of Chile is an international agreement which was concluded between the parties to the Agreement;

AND WHEREAS the said Agreement on Technical and Scientific Cooperation is an Agreement which is governed by international law and concerns the relationship of Antigua and Barbuda and the Republic of Chile;

NOW, THEREFORE, BE IT RESOLVED by this Honourable House that the Framework Agreement on Technical and Scientific Cooperation between the Government of Antigua and Barbuda and the Republic of Chile which was done in the City of St. John's on 27th April, 1993 and is attached hereto as a Schedule be ratified as a Treaty under section 3(1)*(c)* of the Ratification of Treaties Act, 1987.

Passed the House of Representatives this 10th day of January, 1994.

C. L. Murray,
Speaker.

L. A. Dowe,
Clerk to the House of Representatives.

SCHEDULE

Framework Agreement on Technical and Scientific Cooperation between The Government of Antigua and Barbuda and The Government of the Republic of Chile

The Government of Antigua and Barbuda and the Government of the Republic of Chile, hereinafter referred to as the "Contracting Parties":

Moved by the desire to strengthen the traditional links of amity existing between the two peoples:

Conscious of their common interest to promote and encourage their technical and scientific progress and of the reciprocal advantages resulting from cooperation in the fields of mutual interest:

Convinced of the importance of establishing mechanisms that contribute to the development of that process and of the need to implement specific technical and scientific cooperation programmes having effective incidence in the economic and social development of their respective countries

Have agreed as follows:

ARTICLE I

1. The Contracting Parties hereby undertake to prepare and implement by mutual agreement, technical and scientific cooperation programmes and projects in the enforcement of the present Agreement which shall be used as framework.

2. Such programmes and projects shall consider the participation in their execution of organizations and entities of the public and private sectors of both countries and, where necessary, of Universities, scientific and technical research bodies and non-governmental organizations. The importance of the execution of national development projects and integrated regional development projects should also be taken into consideration.

3. In addition, the Contracting Parties may, when they deem it proper, enter into Complementary technical and scientific cooperation Agreements, in compliance with the present Agreement which shall be used as framework.

ARTICLE II

1. In order to accomplish the purposes of this Agreement, the Contracting Parties shall jointly prepare Biennial Programmes in accordance with the priorities of both countries within the scope of their respective economic and social development plans and strategies.

2. Each programme shall specify objectives, goals, financial and technical resources, work schedules as well as the areas where the projects shall be executed. Likewise, it shall specify the obligations, including those of a financial nature of such contracting party.

3. Each programme shall be evaluated from time to time, upon request of the coordinating entities hereinafter mentioned in Article VII.

ARTICLE III

In the Implementation of the programme, the participation of multilateral and regional organizations of technical cooperation as well as that of third countries shall be encouraged and included whenever necessary.

ARTICLE IV

For the purposes of this Agreement, the technical and scientific cooperation between both countries may include the following forms:

(a) Joint or coordinated implementation of research and/or development programmes.

(b) Sending of Experts.

(c) Sending of equipment and material required for the execution of specific projects.

(d) Implementation of Traineeship programmes for professional training.

(e) Granting of specialization scholarships.

(f) Creation and operation of research institutions, laboratories or training centres.

(g) Organization of Seminars and Conferences.

(h) Rendering of consulting services.

(i) Exchange of scientific and technological knowledge.

(j) The development of joint cooperation activities in third countries.

(k) Any other modality agreed upon by the Contracting Parties.

ARTICLE V

Without prejudice to the possibility of extending cooperation to all the areas as may be deemed proper by the Contracting Parties, those considered as special mutual interest areas are indicated as follows:

— Planning and Development

— Environment and natural resources

— Technological and productive innovation

— Power

— Electronics

— Fishery

— Agriculture and Agroindustry

— Ports

— Transportation and Communications

— Housing and urbanism

— Tourism

— Health and Social Security

— Trade and Investments

— Education

— Culture

— Sports

ARTICLE VI

1. In order to carry out the coordination for actions towards the implementation of this Agreement and to achieve the best conditions for the execution thereof the Contracting Parties shall establish a joint Commission composed of representatives of both Parties, which shall meet when it deems necessary. This Joint Commission shall have the following duties:

(a) to evaluate and determine the priority areas where it would be feasible to implement specific technical and scientific cooperation projects.

(b) to analyze, evaluate, approve and review the Biennial technical and scientific cooperation programmes;

(c) to supervise the good operation of this Agreement and make to the Parties the recommendations deemed appropriate.

2. Without prejudice to the provision of No. 1 in this Article, either Party may, at any time, submit to the other, specific technical and scientific cooperation projects for their proper study and subsequent approval within the Joint Commission. Likewise, the Contracting Parties may, by mutual agreement and when they deem it necessary, call special meetings of the Joint Commission.

ARTICLE VII

1. Notwithstanding the provision contained in the previous Article and with a view to having a constant mechanism for programming and execution the Contracting Parties have decided to establish a Working Group of technical and scientific cooperation coordinated by the Ministries of Foreign Affairs of both countries.

2. It shall be the duty of the Working Group:

(a) To prepare representative global and sectoral diagnosis of technical cooperation of both countries.

(b) To propose to the Joint Commission the Biennial Programme of amendments thereto identifying the specific projects to be developed as well as the resources necessary for their implementation; and

(c) To supervise the execution of the projects agreed upon making available the means for their conclusion within the fixed terms.

3. The Working Group shall be composed of representatives of the Ministry of Foreign Affairs of Antigua and Barbuda and the Ministry of Foreign Affairs of Chile, of other authorities directly related to specific matters, as well as of members of national technical bodies. Universities and representatives of the private sector.

ARTICLE VIII

The Contracting Parties may, whenever they deem it necessary, request the financing and participation of international organizations in the execution of programmes and projects implemented pursuant to this Agreement.

ARTICLE IX

The cost of round-trip tickets involved in the sending of personnel as referred to in Article IV of this Agreement by one Party to the territory of the other shall be defrayed by the sending Party. The board and lodging costs, local transportation and other expenses necessary for the implementation of the programme shall be borne by the host Party. It may be specified expressly otherwise in the programmes or Complementary Agreements.

ARTICLE X

The rules in force in the country on privileges and exemptions of united Nations Officers and experts shall apply to the officers and experts of either Contracting Party appointed to work in the territory of the other.

ARTICLE XI

The rules in force regulating the bringing into the country of equipment and materials supplied by the united Nations in the technical and scientific cooperation projects and programmes shall apply to the equipment and materials supplied in any respect by either Government within the framework of technical and scientific cooperation projects.

ARTICLE XII

1. This Agreement shall be effective for ten years and may be automatically extended for equal periods, unless either Party shall give written notice to the other, at least six months in advance, of its decision to the contrary.

2. Each Contracting Party shall notify the other of the legal requirements of the conclusions necessary for the entry into effect of this Agreement which shall become effective as from the date of such latter notice.

3. This Agreement may be denounced at any time by either Party, upon written notice addressed to the other, six months prior to the date of the denunciation becoming effective.

4. In the event of any termination of the term of this Agreement, the programmes and projects in progress shall not be affected thereby and shall continue until conclusion, unless the Parties shall otherwise agree upon.

The present Framework Agreement is signed in the English and Spanish language, in two counterparts, both texts being equally authentic.

Done in the City of Saint John's on this 27th day of April, of the year 1992.

Lester B. Bird,
For the Government of Antigua and Barbuda.

Enrique Silva-Cimma
For the Government of the Republic of Chile.

Printed at the Government Printing Office, Antigua and Barbuda,
by Rupert Charity, Government Printer
—By Authority, 1994.

800—2.94 *[Price $2.60]*