

No. 4399

UNITED STATES OF AMERICA, NEPAL and INDIA

Regional Agreement concerning the development of transportation facilities. Signed at Kathmandu, on 2 January 1958, and at New Delhi, on 6 January 1958

Official text: English.

Registered by the United States of America on 8 July 1958.

ÉTATS-UNIS D'AMÉRIQUE, NÉPAL et INDE

Accord régional concernant le développement des moyens de transport. Signé à Kathmandou, le 2 janvier 1958, et à New-Delhi, le 6 janvier 1958

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 8 juillet 1958.

No. 4399. REGIONAL AGREEMENT¹ BETWEEN THE GOVERNMENTS OF NEPAL, INDIA AND THE UNITED STATES OF AMERICA CONCERNING THE DEVELOPMENT OF TRANSPORTATION FACILITIES. SIGNED AT KATHMANDU, ON 2 JANUARY 1958, AND AT NEW DELHI, ON 6 JANUARY 1958

The Governments of Nepal, India and the United States of America, now engaged in the interchange of technical knowledge and skills and programs of self-help and mutual cooperation designed to develop the economic and social well-being, to safeguard basic rights and liberties and to protect the security and independence of free and independent peoples under circumstances which will enable them to maintain an equal station among the nations of the world and to fulfill their responsibilities,

Desiring to continue such cooperation and recognizing the desirability of programs which will contribute to promoting greater economic strength in the area of Asia as a whole or among a group or groups of countries of the area to the extent that such countries make effective use of all resources available to them,

Considering the development of adequate transportation facilities to and in Nepal to be of major importance in furthering these objectives,

Have consulted and agreed :

Article I

The development of transportation facilities pursuant to this agreement will be carried out in the area of Nepal in such manner and order of priority as may be agreed in order to stimulate the flow of trade to and from and within Nepal and afford means of communication essential to its greater political and administrative integration.

A. The Government of Nepal will :

1. Take such measures as may be necessary to assure the efficient use of all the resources available to it to promote the economic development of Nepal on a sound basis and as may be necessary to assure that Nepal will make the full contribution, permitted by its man-power, resources, facilities and general economic condition, to the work undertaken pursuant to this Agreement.

¹ Came into force on 6 January 1958, upon signature, in accordance with article V.

2. Take appropriate steps, including to the maximum extent possible full coordination and integration of all programs of economic development related to any work carried out under this Agreement, in order to assure the effective utilization of the assistance furnished.

3. Assure that the commodities and services obtained pursuant to this Agreement are used exclusively for the purposes agreed.

4. Establish a Regional Transportation Board (hereinafter called the "Board"), responsible to the Government of Nepal, to which the Government of Nepal will delegate all necessary authority to carry out the obligations of that Government in connection with any work undertaken pursuant to this Agreement.

5. Establish such fiscal and administrative procedures and regulations as will enable the Board to carry out its responsibilities.

B. The responsibilities of the United States and India, in connection with implementing any program or work undertaken pursuant to this Agreement, will be carried out by the Agency designated by the Government of the United States and by the Indian Aid Mission of the Government of India for Nepal under the supervision and direction of their respective heads, to be known for the purposes of this Agreement as the "United States Representative" and the "Director/IAM".

C. The Board, the United States Representative and the Director/IAM will agree from time to time upon such arrangements, procedures and conditions of operation, consistent with and subject to the general conditions and understandings set forth herein, as may be needful to carry out the purposes of this Agreement and formally to commit the funds and resources of each Government to be made available for such purposes; it being understood that the exercise of such authority shall be in conformity with the instructions and directives of the respective Governments. It is further understood that administrative and operational responsibility will be discharged by a technical committee, to be known as the "Office of Chief Engineers", composed of one Chief Engineer from each of the participating Governments.

Article II

In order to further the objectives of this Agreement, the Governments of the United States and India will—subject to the requirements and conditions of any applicable legislation and to the availability of funds—furnish, upon request by the Government of Nepal, financial and other assistance of such nature and in such amounts as the United States and India may respectively deem advisable and as may be needed and effectively used to carry out these purposes.