

No. 11779

**UNITED STATES OF AMERICA
and
ZAIRE**

**Agreement for sales of agricultural commodities (with annex).
Signed at Kinshasa on 7 October 1971**

Authentic texts: English and French.

Registered by the United States of America on 24 April 1972.

**ÉTATS-UNIS D'AMÉRIQUE
et
ZAÏRE**

**Accord pour les ventes de produits agricoles (avec annexe).
Signé à Kinshasa le 7 octobre 1971**

Textes authentiques: anglais et français.

Enregistrés par les États-Unis d'Amérique le 24 avril 1972.

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF AMERICA AND THE GOVERNMENT
OF THE DEMOCRATIC REPUBLIC OF THE CONGO FOR
SALES OF AGRICULTURAL COMMODITIES**

The Government of the United States of America and the Government of the Democratic Republic of the Congo have agreed to the sales of agricultural commodities specified below. This Agreement shall consist of the Preamble and Parts I and III of the March 15, 1967 Agreement,² the Dollar Credit Annex of the August 12, 1968 Agreement,³ and the following Part II:

PART II

PARTICULAR PROVISIONS

ITEM I. *Commodity Table*

<i>Commodity</i>	<i>Supply Period (United States Fiscal Year)</i>	<i>Approximate Maximum Quantity (Metric Tons)</i>	<i>Maximum Export Market Value (Thousands)</i>
Wheat Flour	1972	23,000	\$2,130
		TOTAL	\$2,130

ITEM II. *Payment Terms*

Dollar Credit

1. Initial Payment – 5 percent.
2. Currency Use Payment – 20 percent of the dollar amount of the financing by the Government of the exporting country under this agreement is payable upon demand by the Government of the exporting country in amounts as it may determine and in accordance with paragraph 6 of the Dollar Credit Annex applicable to this agreement. No request for payment will be made by the Government of the exporting country prior to the first disbursement by the Commodity Credit Corporation under this agreement.
3. Number of Installment Payments – 20.

¹ Came into force on 7 October 1971 by signature, in accordance with part III (B).

² United Nations, *Treaty Series*, vol. 692, p. 118.

³ *Ibid.*, vol. 707, p. 137.

4. Amount of Each Installment Payment – approximately equal annual amounts.
5. Due Date of First Installment Payment – one year from date of last delivery of commodities in each calendar year.
6. Interest Rate – 3 percent.

ITEM III. *Usual Marketing Table*

<i>Commodity</i>	<i>Import Period (United States Fiscal Year)</i>	<i>Usual Marketing Requirement</i>
Wheat Flour	1972	19,000 metric tons

ITEM IV. *Export Limitations*

A. With respect to the commodity financed under this agreement, the export limitation period for same or like commodity shall begin with the effective date of this agreement and end on the final date on which said commodity financed under this agreement is being imported or utilized, whichever is later.

B. For purposes of Part I, Article III A 3, of the agreement, the commodities considered to be the same as, or like the commodity imported under this agreement are for wheat/wheat flour—wheat and wheat flour and products thereof.

ITEM V. *Self-Help Measures*

The Government of the Democratic Republic of the Congo agrees to continue the same self-help measures contained in the May 14, 1969 Agreement.¹

ITEM VI. *Economic Development Purposes for Which Proceeds Accruing to Importing Country are to be Used*

For purposes specified in Item V and for other economic development purposes as may be mutually agreed upon.

ITEM VII. *Ocean Freight Financing*

The Government of the exporting country shall bear the cost of ocean freight differential for commodities it requires to be carried in United States flag vessels but, notwithstanding the provisions of paragraph 1 of the Dollar Credit Annex, it shall not finance the balance of the cost of ocean transportation of such commodities.

¹ United Nations, *Treaty Series*, vol. 715, p. 23.

ITEM VIII. *Other Provisions*

A. The currency use payment under Item II 2 of this Part II shall be credited against (a) the amount of each year's interest payment due during the period prior to the due date of the first installment payment, starting with the first year, plus (b) the combined payments of principal and interest starting with the first installment payment, until value of the currency use payment has been offset.

B. Notwithstanding paragraph 4 of the Dollar Credit Annex, the Government of the importing country may withhold from deposit in the special account referred to in such paragraph or may withdraw from amounts deposited therein so much of the proceeds accruing to it from the sale of commodities financed under this agreement as is equal to the amount of the currency use payment made by the Government of the importing country.

IN WITNESS WHEREOF, the respective representatives, duly authorized for the purpose, have signed the present agreement.

DONE at Kinshasa, in duplicate, this 7th day of October 1971.

For the Government
of the United States
of America:

[Signed]

SHELDON B. VANCE
Ambassador¹

For the Government
of the Democratic Republic
of the Congo:

[Signed]

LAURENT-GABRIEL EKETEBI
Vice-Minister of Foreign Affairs²

¹ Ambassadeur.

² Vice-Ministre des affaires étrangères.