

No. 12132

**ROMANIA
and
NIGERIA**

Agreement on economic, scientific and technical co-operation. Signed at Lagos on 24 May 1971

Authentic texts: Romanian and English.

Registered by Romania on 3 November 1972.

**ROUMANIE
et
NIGÉRIA**

Accord de coopération économique, scientifique et technique. Signé à Lagos le 24 mai 1971

Textes authentiques : roumain et anglais.

Enregistré par la Roumanie le 3 novembre 1972.

AGREEMENT¹ ON ECONOMIC, SCIENTIFIC AND TECHNICAL CO-OPERATION BETWEEN THE FEDERAL MILITARY GOVERNMENT OF THE FEDERAL REPUBLIC OF NIGERIA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF ROMANIA

The Federal Military Government of the Federal Republic of Nigeria and the Government of the Socialist Republic of Romania (hereinafter referred to as "the Contracting Parties");

Animated by the desire to promote and enlarge economic, scientific and technical co-operation between their two countries to the greatest possible extent;

Mindful of the advantages to be derived by the two Contracting Parties from such co-operation;

Have agreed as follows:

Article I. 1. The Contracting Parties shall co-operate and support each other, within the limits of their capabilities and resources, in solving problems of economic, scientific and technical character on the basis of equality and mutual benefit by the utilization of the latest achievements in science and technology for the furtherance of the economic development of their countries.

2. The field of co-operation envisaged in paragraph 1 of this article shall cover, *inter alia*, the following:

- (1) exchange of experts and advisers, and the provision of consultancy services for specific projects;
- (2) sending experts for study tours of short or long duration;
- (3) organising and conducting seminars, training programmes, demonstration projects, expert working groups and related activities in such places as may be mutually agreed;
- (4) awarding scholarships and fellowships or making some other arrangements under which persons nominated by one Contracting Party can study or otherwise receive training in the country of the other Contracting Party making the award;
- (5) extending facilities for surveys and the executing of pilot development projects, tests, experiment or research in such places as may be mutually agreed upon by the Contracting Parties;
- (6) the establishment of industries such as petroleum, wood working, mining, geology, agricultural produce processing, textile, chemical and petrochemical, fishing and other industries of common interest.

Article II. 1. Economic, scientific and technical co-operation may also be carried out through the setting up and running of mixed Nigerian-Romanian industrial, commercial or service enterprises; organisation of exhibitions and specialist shows illustrating the technical progress and economic achievements in

¹ Came into force provisionally on 24 May 1971, the date of signature, and definitively on 5 February 1972, the date of the exchange of notes confirming that it had been approved in compliance with the constitutional procedures or laws and regulations of the Contracting Parties, in accordance with article IX.

both countries, and also participation in fairs and exhibitions held in both countries.

2. The scope, terms and conditions of the setting up of the industrial and commercial enterprises referred to in articles I (2) and II (1) herein, and the implementation of economic, scientific and technical co-operation on major projects, including the exchange of experts, specialists and consultants, shall be arranged under separate programmes, accords, agreements and contracts, and shall be subject to the approval of the competent authorities of each Contracting Party.

Article III. 1. The Government of the Federal Republic of Nigeria hereby designates the Federal Ministry of Economic Development and Reconstruction and the Government of the Socialist Republic of Romania hereby designates the Ministry of Foreign Trade as the appropriate organs for the purpose of implementing this Agreement and other matters related thereto. The two designated bodies shall always maintain contact through diplomatic channels.

2. Each Contracting Party shall have the right to designate in writing, at any time, any other appropriate body, organisation or ministry in place of any of the ones already designated in the preceding paragraph.

3. The bodies designated in accordance with the provision of article III (1) of this Agreement shall each nominate its representatives, who shall meet at least once a year for a general review of the execution of any projects established under this Agreement or other agreements made thereunder.

Article IV. 1. Each Contracting Party shall grant the other all necessary permissions and facilities for the repatriation of invested capitals, due profits, interests and commissions and payments for delivered machines, equipment, complete plants and services in accordance with the exchange control regulations in force in the respective countries.

2. The delivery of machines and equipment for complete manufacturing lines or of complete plants shall be effected on reasonable credit terms. The credit conditions shall be negotiated for each project separately and stipulated in the agreement or contract under which such project has been set up.

3. Each Contracting Party shall appoint commercial enterprises authorised to offer the deliveries of the machines and equipment mentioned in the preceding paragraph on credit terms, and shall designate institutions authorised to grant appropriate guarantees for the payment of credits;

(a) where the Federal or a State Government or a Statutory Corporation is the beneficiary; or

(b) in other appropriate cases.

4. Each Contracting Party shall ensure that the delivery of machines, equipment and complete plants by the other Contracting Party shall as much as possible be balanced by the delivery by the other Contracting Party of products, including both finished and partly-finished goods, manufactured in the industrial plants constructed with the participation of the Party supplying the machine and equipment.

Article V. 1. Any person acting under the authority of one Contracting Party in fulfilling any obligations in the territory of the other Contracting Party under this Agreement or under any separate protocols, accords, contracts or agreements made thereunder, shall restrict his activities in the said territory strictly to matters relating to the said Agreement, protocols, accords, contracts or agreements and shall observe the laws and regulations in force in the host country.

2. Experts or other persons seconded by one Contracting Party to carry out some duties in the territory of the other Contracting Party under this agreement shall do so in close consultation with the other Contracting Party or with persons or bodies nominated by it. Such experts or person shall comply with any instructions issued by the other Contracting Party as may be appropriate to the nature of their duties. These instructions are binding after being mutually agreed upon by the two Contracting Parties.

Article VI. 1. Any economic survey teams, technical experts, research missions, consultant engineers and others of one Contracting Party who have carried out any studies or surveys in the territory of the other Contracting Party under this Agreement shall prepare reports on their work and deposit copies of such reports with the other Contracting Party.

2. Each Contracting Party undertakes that it shall keep confidential any documents, information or data received or otherwise coming into its possession in the process of the implementation of this Agreement and shall not give such documents or copies thereof and such information or data to any third party without the prior written approval of the other Contracting Party.

Article VII. Any implementation programmes, special agreements, accords, or contracts which may be made in respect of any projects under this Agreement shall be approved by each Contracting Party in accordance with its usual practice.

Article VIII. In pursuance of the spirit of co-operation and partnership envisaged in this Agreement, each Contracting Party shall have the right to nominate any of its nationals to work with any expert or experts or any other persons provided by the other Party either by virtue of this Agreement or any other separate agreements concluded thereunder.

Article IX. 1. This Agreement shall enter into force provisionally on the date of signature and definitely on the date of exchange of notes confirming that it has been approved in accordance with the constitutional procedures or laws and regulations of the Contracting Parties and shall remain valid for a period of five years thereafter.

2. The operation of this Agreement shall be automatically extended for additional periods of one year, unless either Party notifies the other in writing of its intention to terminate this Agreement six months prior to the expiration of the said period.

3. The provisions of this Agreement and of any separate protocols, accords contracts or agreements made thereunder shall continue to be applied after their expiry to any existing and unexpired obligations assumed under this Agreement or the said protocols, accords, contracts or agreements. Furthermore, any projects already started and still in progress at the date of the termination of this Agree-

ment or the relevant protocols, accords, contracts or separate agreements shall be carried on to completion.

DONE at Lagos this 24th day of May 1971 in two originals, each in the English and Romanian languages, both texts being equally authentic.

For the Federal Military Government
of the Federal Republic of Nigeria:

[Signed — Signé]¹

For the Government
of the Socialist Republic of Romania:

[Signed — Signé]²

¹ Signed by Alhaji Shenu Shagari — Signé par Alhaji Shenu Shagari.

² Signed by Ion Păţan — Signé par Ion Păţan.