

**No. 14337**

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**FEDERAL REPUBLIC OF GERMANY  
and  
SENEGAL**

**Agreement concerning financial assistance (with annex).  
Signed at Dakar on 9 October 1974**

*Authentic texts: German and French.*

*Registered by the Federal Republic of Germany on 7 October 1975.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
SÉNÉGAL**

**Accord d'aide financière (avec annexe). Signé à Dakar le  
9 octobre 1974**

*Textes authentiques : allemand et français.*

*Enregistré par la République fédérale d'Allemagne le 7 octobre 1975.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF SENEGAL CONCERNING FINANCIAL ASSISTANCE

The Government of the Federal Republic of Germany and the Government of the Republic of Senegal,

Considering the friendly relations existing between the Federal Republic of Germany and the Republic of Senegal,

Desiring to strengthen and intensify those friendly relations by fruitful co-operation in the field of development assistance,

Being aware that the maintenance of those relations is the basis for this Agreement, and

Intending to promote economic and social development in the Republic of Senegal, Have agreed as follows:

*Article 1.* (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Senegal, or other borrowers to be chosen jointly by the two Governments, to obtain from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt-on-Main, loans not exceeding twenty million five hundred thousand Deutsche Mark for

- (a) The project entitled "Industrial zone for small and medium-scale enterprises at Dakar" (6.5 million DM);
- (b) The project entitled "Agricultural diversification and irrigation of the Bas Saloum" (5.5 million DM);
- (c) The project entitled "Société Nationale d'Etude et de Promotion Industrielle (SONEPI)" (0.5 million DM); and
- (d) The importation of goods to meet current civilian requirements in accordance with the list of goods annexed to this Agreement and any related performances (8 million DM)

provided that, after examination, the projects referred to in subparagraphs (a) to (c) are deemed worthy of support. The commodity aid referred to in subparagraph (d) must be used for deliveries for which the delivery contracts were concluded after 31 March 1974

(2) The Government of the Federal Republic of Germany and the Government of the Republic of Senegal may decide by agreement to substitute other projects for the projects referred to in paragraphs (1) (a) to (1) (c).

*Article 2.* (1) The utilization of the aforementioned loans and the conditions on which they will be granted shall be determined by contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions in force in the Federal Republic of Germany.

(2) Where the Republic of Senegal is not itself the borrower, it shall guarantee all payments in Deutsche Mark to the Kreditanstalt für Wiederaufbau in fulfilment of obligations assumed by borrowers under contracts concluded in accordance with paragraph (1).

<sup>1</sup> Came into force on 9 October 1974 by signature, in accordance with article 8.

*Article 3.* The Government of the Republic of Senegal shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges to which it might be subject in the Republic of Senegal in connexion with the conclusion or execution of the loan contracts mentioned in article 2.

*Article 4.* With respect to such transport of persons and goods by sea and air as arises from the granting of the loans, the Government of the Republic of Senegal shall allow passengers and suppliers to choose freely from among transport enterprises; it shall not take any measure which might preclude or impede the participation of transport enterprises which have their head office in the German area of applicability of this Agreement and shall issue such permits as may be necessary, for the participation of the said transport enterprises.

*Article 5.* Contracts for deliveries and performances relating to projects under article 1, paragraphs (1) (a) to (1) (c), financed by means of the loans, shall be awarded by international public tender, unless otherwise decided in individual cases.

*Article 6.* The Government of the Federal Republic of Germany considers it particularly important that, for deliveries resulting from the granting of the loans, preference should be given to products of the industry of *Land Berlin*.

*Article 7.* With the exception of the provisions of article 4 concerning air transport, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Republic of Senegal within three months from the entry into force of the Agreement.

*Article 8.* This Agreement shall enter into force on the date of its signature.

DONE at Dakar on 9 October 1974 in two original copies, each in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:  
Dr. TÖRÖK

For the Government of the Republic of Senegal:  
BABACAR BÂ

#### ANNEX

##### TO THE GOVERNMENTAL AGREEMENT CONCERNING FINANCIAL ASSISTANCE (LIST OF GOODS)

List of goods which the Republic of Senegal may purchase, in accordance with article 1, paragraph (1) (d) of the Governmental Agreement of 9 October 1974, in an amount not exceeding 8 million DM (eight million Deutsche Mark) as commodity aid:

- (a) Industrial raw and auxiliary materials and semi-manufactures;
  - (b) Industrial equipment, agricultural machinery and implements;
  - (c) Spare parts and accessories of all kinds;
  - (d) Chemical products, especially fertilizers, plant-protection agents and pesticides, and medicaments;
  - (e) Other industrial products which are of importance for economic development.
2. Goods imported in accordance with the above list should be selected from as many categories as possible. Imports not covered by the list may be financed only with the prior approval of the Government of the Federal Republic of Germany.
3. The importation of luxury and consumer goods and of any goods that may be useful for purposes of military equipment shall be excluded from commodity aid financing.