

No. 14351

**FEDERAL REPUBLIC OF GERMANY
and
BURMA**

Agreement concerning financial assistance. Signed at Rangoon on 13 April 1974

Authentic texts: German, Burmese and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BIRMANIE**

Accord d'aide financière. Signé à Rangoon le 13 avril 1974

Textes authentiques : allemand, birman et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF THE UNION OF BURMA CONCERNING FINANCIAL ASSISTANCE

The Government of the Federal Republic of Germany and the Government of the Socialist Republic of the Union of Burma,

in the spirit of the friendly relations existing between the Federal Republic of Germany and the Socialist Republic of the Union of Burma,

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

aware that the maintenance of those relations constitutes the basis of the present Agreement,

intending to promote the development of the Burmese economy,

have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Union of Burma Bank to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main,

(a) a loan up to a total of seventeen million German Marks to cover civilian import requirements in respect of machinery for a machine tool factory and the related services,

(b) to finance the following projects

— a further loan up to a total of two million German Marks for the “expansion and modernization of the Heinda tin mines”

— a loan of up to a total of twenty-three million German Marks for the “sheet glass manufacturing plant”.

Article 2. (1) The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau. The place of performance shall be Frankfurt on Main.

(2) The Government of the Socialist Republic of the Union of Burma shall guarantee to the Kreditanstalt für Wiederaufbau all payments and the resultant transfer to be made in fulfilment of the borrower's liabilities under the loan agreement to be concluded.

Article 3. The Government of the Socialist Republic of the Union of Burma shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Socialist Republic of the Union of Burma at the time of the conclusion, or during the execution, of the loan agreement referred to in Article 2 of the present Agreement.

Article 4. (1) The Government of the Socialist Republic of the Union of Burma shall allow free choice of means of transport either by air or sea for the purpose of transportation of passengers and goods as results from the granting of the loan.

(2) The German shipping enterprises and the Burmese shipping enterprises shall participate on a fair and equal basis in the transportation of the goods originating in the Federal Republic of Germany as results from the granting of the loan. If required, the

¹ Came into force on 13 April 1974 by signature, in accordance with article 8.

Government of the Socialist Republic of the Union of Burma guarantees to issue the permission for the participation of German shipping enterprises.

Article 5. Unless otherwise provided in individual cases, supplies or services for projects financed from the loan shall be subject to international public tender.

Article 6. With regard to the supplies resulting from the granting of the loans, the Government of the Federal Republic of Germany attaches particular importance to preference being given to products of industries of *Land Berlin*.

Article 7. With the exception of those provisions of Article 4 which refer to air transport, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Socialist Republic of the Union of Burma within three months of the entry into force of the present Agreement.

Article 8. The present Agreement shall enter into force on the date of signature thereof.

DONE at Rangoon, on 13 April, 1974 in duplicate in the German, Burmese and English languages, each text being equally authentic. In case of divergent interpretations the English text shall prevail.

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]¹

For the Government
of the Socialist Republic
of the Union of Burma:

[Signed — Signé]²

¹ Signed by Klaus Terfloth — Signé par Klaus Terfloth.

² Signed by Chit Moungh — Signé par Chit Moungh.