

No. 14813

FEDERAL REPUBLIC OF GERMANY
and
BURMA

Agreement concerning financial and technical assistance for the establishment of a soda-ash factory and a formaldehyde plant. Signed at Rangoon on 28 January 1975

Authentic texts: German, Burmese and English.

Registered by the Federal Republic of Germany on 15 June 1976.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BIRMANIE

Accord relatif à l'octroi d'une assistance financière et technique pour la création d'une usine de carbonate de sodium et d'une installation de production de formaldéhyde. Signé à Rangoon le 28 janvier 1975

Textes authentiques : allemand, birman et anglais.

Enregistré par la République fédérale d'Allemagne le 15 juin 1976.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
SOCIALIST REPUBLIC OF THE UNION OF BURMA CONCERN-
ING FINANCIAL AND TECHNICAL ASSISTANCE FOR THE
ESTABLISHMENT OF A SODA-ASH FACTORY AND A FORM-
ALDEHYDE PLANT

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 contribute to the economic and social development in the Socialist Republic of the Union of Burma,

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, loans up to a total of twenty-four million German Marks if, after examination, the following projects have been found to be eligible for promotion:

- (a) a loan up to a total of fifteen million German Marks for the establishment of a soda-ash-factory,
- (b) a loan up to a total of nine million German Marks for the establishment of a formaldehyde plant.

(2) The Government of the Federal Republic of Germany shall moreover enable the Union of Burma Bank to obtain from Kreditanstalt für Wiederaufbau a financial contribution of up to a total of two hundred and eighty thousand German Marks for the preparation of studies on the "soda-ash-factory" project referred to in paragraph (1) (a) above and a financial contribution of up to a total of two hundred thousand German Marks for the preparation of studies on the "formaldehyde plant" project referred to in paragraph (1) (b) above.

(3) The project specified in paragraph (1) above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Socialist Republic of the Union of Burma so agree.

Article 2. (1) The utilization of the loans referred to in Article 1 (1) and of the financial contribution specified in Article 1 (2), 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 borrower and the Kreditanstalt für Wiederaufbau.

The place of performance shall be Frankfurt/Main.

¹ Came into force on 28 January 1975 by signature, in accordance with article 8.

(2) The Government of the Socialist Republic of the Union of Burma shall guarantee to the Kreditanstalt für Wiederaufbau all payments in German Marks to be made in fulfilment of the borrower's liabilities under the loan agreements to be concluded pursuant to paragraph (1) above.

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 implementation, of the agreements referred to in Article 2.

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 loans.

(2) The German and the Burmese shipping enterprises shall be afforded fair and equal participation in such transportation of goods from the German area of application of the present Agreement as results from the granting of the loans. The Government of the Socialist Republic of the Union of Burma undertakes to grant the relevant permits as required for the participation of German shipping enterprises.

Article 5. Unless otherwise provided in individual cases, supplies and services for projects financed from the loans 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 after 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 28 January 1975 in duplicate in the German, Burmese and English languages, all texts being equally authentic. In case of divergent interpretation of the German and Burmese texts, 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 Moung—Signé par Chit Moung.