

**No. 16374**

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**FEDERAL REPUBLIC OF GERMANY  
and  
BURMA**

**Agreement concerning financial assistance (with annex).  
Signed at Rangoon on 27 April 1976**

*Authentic texts: German, Burmese and English.*

*Registered by the Federal Republic of Germany on 1 February 1978.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
BIRMANIE**

**Accord d'aide financière (avec annexe). Signé à Rangoon le  
27 avril 1976**

*Textes authentiques : allemand, birman et anglais.*

*Enregistré par la République fédérale d'Allemagne le 1<sup>er</sup> février 1978.*

## AGREEMENT<sup>1</sup> 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 cooperation 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 DM 65 million (sixty-five million German Marks) for the project "Rehabilitation and Expansion of the Bawdwin Mines" upon determination that the project is feasible from economic and technical aspects;
- (b) a loan up to a total of DM 10 million (ten million German Marks) to finance foreign exchange costs arising from the purchase of goods and services, in accordance with the list attached as Annex to the present Agreement, to cover current necessary civilian import requirements, in particular for projects financed under the German financial assistance programme.

(2) The project referred to in paragraph 1 (a) 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.

(3) The goods and services referred to in paragraph 1 (b) above must be such for which the supply or service contracts have been concluded after the entry into force of the present Agreement.

*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/Main.

(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 agreements concluded in accordance with 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

<sup>1</sup> Came into force on 27 April 1976 by signature, in accordance with article 8.

charges levied in the Socialist Republic of the Union of Burma at the time of the conclusion, or during the execution, of the agreements 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 transport enterprises carrying the flag of the Federal Republic of Germany and transport enterprises carrying the flag of the Socialist Republic of the Union of Burma for such transportation by sea or air of persons and goods as results from the granting of the loans.

(2) The shipping enterprises of the Socialist Republic of the Union of Burma and of the Federal Republic of Germany shall participate on fair and equal terms 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 shall grant the relevant permits as required for such participation of shipping enterprises of the Federal Republic of Germany.

*Article 5.* Supplies and services for the project referred to in article 1 (1) (a) to be financed from the loans shall, unless otherwise provided in individual cases, 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 April 27, 1976, in duplicate in the German, Burmese and English languages, all three texts being authentic. In case of divergent interpretations of the German and the Burmese texts, the English text shall prevail.

For the Government  
of the Federal Republic  
of Germany:

[Signed — Signé]<sup>1</sup>

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

[Signed — Signé]<sup>2</sup>

<sup>1</sup> Signed by Dr. Hans Ferdinand Linsser — Signé par Hans Ferdinand Linsser.

<sup>2</sup> Signed by Dr. Maung Shein — Signé par Maung Shein.

ANNEX TO THE INTERGOVERNMENTAL AGREEMENT CONCERNING  
FINANCIAL ASSISTANCE (COMMODITY ASSISTANCE)

List of goods and services which may be financed up to a value of DM 10 million (ten million German Marks) from the commodity assistance loan pursuant to article 1 (1) (b) of the Intergovernmental Agreement of April 27, 1976:

- (a) Industrial raw and auxiliary materials as well as semi-manufactures,
- (b) Spare parts and accessories of all kinds,
- (c) Consulting services and licence fees,
- (d) Costs of transport, insurance, assembly, storage and distribution arising in connection with the importation of goods financed from the commodity assistance loan;

for the:

1. Foodstuff Industries Corporation,
2. Textile Industries Corporation,
3. Ceramic Industries Corporation,
4. Petrochemical Industries Corporation,
5. Heavy Industries Corporation and
6. Myanma Tin and Tungsten Corporation.

Imports pursuant to the above list should cover the greatest possible range of goods. Imports not included in the above list may only be financed with the prior approval of the Government of the Federal Republic of Germany.

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