

No. 16796

**FEDERAL REPUBLIC OF GERMANY
and
UPPER VOLTA**

**Agreement concerning financial assistance (with annex).
Signed at Ouagadougou on 23 April 1977**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 30 June 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
HAUTE-VOLTA**

Accord d'aide financière (avec annexe). Signé à Ouagadougou le 23 avril 1977

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 30 juin 1978.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING FINANCIAL ASSISTANCE BETWEEN
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF
GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF
THE UPPER VOLTA

The Government of the Federal Republic of Germany and the Government of the Republic of the Upper Volta,

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

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

Being aware that the maintenance of these relations is the basis for the present Agreement,

Purposing to contribute to economic and social development in the Republic of the Upper Volta,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Upper Volta to obtain an untied loan not exceeding a total of DM 0.5 million (five hundred thousand Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, to finance the import of goods to supply current essential civilian requirements in accordance with the list annexed to this Agreement. The foregoing shall apply only to goods and services for which the delivery contracts were concluded after 31 December 1975.

Article 2. The utilization of this loan and the conditions on which it is granted shall be governed by the contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of the Upper Volta shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Republic of the Upper Volta at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Republic of the Upper Volta shall allow passengers and suppliers a free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan; it shall refrain from taking any measures that might exclude or impede the participation, on an equal footing, of transport enterprises which have their headquarters within the German area of application of this Agreement and shall issue any permits that may be necessary for the participation of such transport enterprises.

¹ Came into force on 23 April 1977 by signature, in accordance with article 7.

Article 5. The Government of the Federal Republic of Germany is particularly desirous that, for deliveries resulting from the granting of the loan, preference should be given to the products of the industry of *Land Berlin*.

Article 6. With the exception of those provisions of article 4 which relate to air traffic, 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 the Upper Volta within three months from the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of its signature.

DONE at Ouagadougou on 23 April 1977, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. KLAUS ECKHARD JORDAN
Ambassador of the Federal Republic of Germany

For the Government of the Republic of the Upper Volta:

FRANÇOIS-XAVIER ZONGO
Minister of Justice

ANNEX [TO THE AGREEMENT CONCERNING FINANCIAL ASSISTANCE BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF THE UPPER VOLTA]¹

LIST OF GOODS AND SERVICES WHICH, IN ACCORDANCE WITH ARTICLE 1 OF THE GOVERNMENTAL AGREEMENT OF 23 APRIL 1977, MAY BE FINANCED BY THE LOAN IN AN AMOUNT NOT EXCEEDING A TOTAL OF DM 0.5 MILLION (FIVE HUNDRED THOUSAND DEUTSCHE MARK)

- a) Teaching material for primary schools;
- b) Laboratory equipment for the Institute of Mathematics and Physics, University of Ouagadougou;
- c) Equipping of the Collège d'Enseignement Technique for instruction in refrigeration and electrical engineering;
- d) Equipping of the Polytechnic Institute, University of Ouagadougou;
- e) Transport, insurance and installation costs incurred in connection with imports of goods financed by the loan, even if incurred in local currency.

Imports of goods not included in the above list may be financed by the loan only with the prior approval of the Government of the Federal Republic of Germany.

The import of consumer goods, particularly luxury goods, and of goods and equipment for military purposes shall be excluded from financing by the loan.

¹ Text between brackets appears only in the French authentic text.