

No. 16791

**FEDERAL REPUBLIC OF GERMANY
and
NIGER**

**Agreement concerning financial assistance (with annex).
Signed at Niamey on 10 February 1977**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER**

**Accord d'aide financière (avec annexe). Signé à Niamey le
10 février 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 NIGER

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

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

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 Niger,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Niger to obtain an untied loan not exceeding a total of DM 6.5 million (six million five hundred thousand Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, to finance the import of goods and services in accordance with the list annexed to this Agreement. The foregoing shall apply only to goods and services for which the delivery or service contracts are concluded after the entry into force of this Agreement.

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 Niger shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Niger 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 Niger 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 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.

Article 5. Contracts for deliveries and services financed by the loan shall be awarded by international public tender, unless otherwise stipulated in individual cases.

¹ Came into force on 10 February 1977 by signature, in accordance with article 8.

Article 6. 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 7. 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 Niger within three months from the date of entry into force of this Agreement.

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

DONE at Niamey on 10 February 1977, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. JOHANNES REITBERGER

For the Government of the Republic of the Niger:

MOUNKEILA AROUNA

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

LIST OF GOODS AND SERVICES WHICH, IN ACCORDANCE WITH ARTICLE 1 OF THE GOVERNMENTAL AGREEMENT OF 10 FEBRUARY 1977, MAY BE FINANCED BY THE LOAN IN AN AMOUNT NOT EXCEEDING A TOTAL OF DM 6.5 MILLION (SIX MILLION FIVE HUNDRED THOUSAND DEUTSCHE MARK)

- (a) Purchase of a 20-kW medium-wave transmitter and adaptation to the existing vertical aerial;
- (b) Purchase of a 100-kW short-wave transmitter with wide-band directional aerial;
- (c) Connection and adaptation of the existing 20-kW short-wave transmitter to the existing aerial;
- (d) Purchase of a commutator for the 20-kW short-wave transmitter to the newly purchased short-wave directional aerial;
- (e) Purchase of accessories, spare parts and adapters for the newly purchased transmitters and of control devices;
- (f) Enlargement of the transmitting-station building;
- (g) Purchase of equipment for three recording studios for production and transmission and of a modulator;
- (h) Enlargement of the studio building;
- (i) Purchase of energy-supply equipment for the newly constructed transmitting-station and studio building;
- (j) Transport, insurance and installation costs incurred in connection with imports of goods financed by the loan, even if incurred in local currency.

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

Imports of goods not included in the above list may be financed 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.
