

No. 16775

**FEDERAL REPUBLIC OF GERMANY
and
SUDAN**

**Agreement concerning financial assistance (with annex).
Signed at Khartoum on 20 October 1976**

Authentic texts: German and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SOUDAN**

**Accord d'aide financière (avec annexe). Signé à Khartoum le
20 octobre 1976**

Textes authentiques : allemand et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL ASSISTANCE

The Government of the Democratic Republic of the Sudan and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between the Democratic Republic of the Sudan and the Federal Republic of Germany,

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 economic and social development in the Democratic Republic of the Sudan,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Democratic Republic of the Sudan or other borrowers to be jointly selected by the two Governments to raise with the *Kreditanstalt für Wiederaufbau* (Development Loan Corporation), Frankfurt/Main, loans up to DM 150 million (one hundred and fifty million German Marks) as follows:

- (a) Up to DM 67 million (sixty-seven million German Marks) to finance the construction of the deepwater harbour at New Suakin if, after examination, the project has been found to be eligible for promotion;
- (b) Up to DM 68 million (sixty-eight million German Marks) to finance the construction of the Nyala-Kas-Zalingei road if, after examination, the project has been found eligible for promotion;
- (c) Up to DM 15 million (fifteen million German Marks) for the importation of goods to meet current civilian requirements in accordance with the list of goods and related services attached to the present Agreement.

(2) The supplies to be financed from the loan pursuant to paragraph (1) (c) above must be based on supply contracts concluded after June 1st, 1975.

(3) The projects referred to in paragraph (1) (a) and (b) above may be replaced by other projects if the Government of the Democratic Republic of the Sudan and the Government of the Federal Republic of Germany so agree.

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*, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Democratic Republic of the Sudan, to the extent that it is not itself the borrower, and the Bank of Sudan shall guarantee to the Kredit-

¹ Came into force on 12 July 1977, the date on which the Government of the Sudan informed the Government of the Federal Republic of Germany that its constitutional requirements had been fulfilled, with retroactive effect from 20 October 1976, the date of signature, in accordance with article 8.

ANNEX

LIST OF GOODS WHICH MAY BE PROCURED UNDER COMMODITY AID UP TO A TOTAL VALUE OF DM 15 MILLION (FIFTEEN MILLION GERMAN MARKS) BY THE DEMOCRATIC REPUBLIC OF THE SUDAN UNDER ARTICLE 1 (1) (a) OF THE AGREEMENT OF OCTOBER 20th, 1976

1. Tools of all kinds
2. Spare parts of all kinds
3. Agricultural and industrial machinery and equipment
4. Motor vehicles and accessories
5. Industrial raw and auxiliary materials
6. Chemical products.

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

The importation of luxury and consumer goods and all goods serving military purposes may not be financed from the commodity aid.
