

**No. 16772**

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**FEDERAL REPUBLIC OF GERMANY  
and  
ZAIRE**

**Agreement concerning financial assistance. Signed at Bonn  
on 16 June 1976**

*Authentic texts: German and French.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
ZAÏRE**

**Accord d'aide financière. Signé à Bonn le 16 juin 1976**

*Textes authentiques : allemand et français.*

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

## [TRANSLATION — TRADUCTION]

**AGREEMENT<sup>1</sup> CONCERNING FINANCIAL ASSISTANCE BETWEEN  
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF  
GERMANY AND THE EXECUTIVE COUNCIL OF THE REPUBLIC  
OF ZAIRE**

The Government of the Federal Republic of Germany and the Executive Council of the Republic of Zaire,

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

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 Zaire,

Have agreed as follows:

*Article 1.* (1) The Government of the Federal Republic of Germany shall enable the Executive Council of the Republic of Zaire or other borrowers, to be selected jointly by the two Contracting Parties, to obtain loans not exceeding a total of DM 72,500,000 (seventy-two million five hundred thousand Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the projects agreed upon during the third session of the Main German-Zairian Mixed Commission, provided that, after being studied, they are found to merit support.

(2) The two Contracting Parties may decide by agreement to substitute other projects for the projects specified in paragraph 1.

*Article 2.* (1) The utilization of these loans and the conditions on which they are granted shall be governed by the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Executive Council of the Republic of Zaire, in so far as it is not itself the borrower, and the Central Bank of the Republic of Zaire shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark in fulfilment of the liabilities of the borrowers under the contracts to be concluded in accordance with paragraph 1.

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

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<sup>1</sup> Came into force on 7 May 1977, the date on which the Executive Council of the Republic of Zaire notified the Government of the Federal Republic of Germany that its domestic requirements had been fulfilled, with retroactive effect from 16 June 1976, the date of signature, in accordance with article 8.

*Article 4.* The Government of the Federal Republic of Germany and the Executive Council of the Republic of Zaire 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 loans; they 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 area of application of this Agreement and shall issue without discrimination, in accordance with the legal provisions in force, any permit that may be necessary for the participation of such transport enterprises.

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

*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 Executive Council of the Republic of Zaire within three months from the date of entry into force of this Agreement.

*Article 8.* This Agreement shall enter into force, with retroactive effect to the date of signature, as soon as the Executive Council of the Republic of Zaire has notified the Government of the Federal Republic of Germany that the domestic requirements for the entry into force of the Agreement have been fulfilled on the part of the Republic of Zaire.

DONE at Bonn on 16 June 1976, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HERMES

EGON BAHR

For the Executive Council of the Republic of Zaire:

KARL-I-BOND