

No. 18380

**FEDERAL REPUBLIC OF GERMANY
and
UPPER VOLTA**

**Agreement concerning economic and technical co-operation.
Signed at Ouagadougou on 8 August 1973**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 28 March 1980.

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

**Accord de coopération économique et technique. Signé à
Ouagadougou le 8 août 1973**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 28 mars 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING ECONOMIC AND TECHNICAL CO-OPERATION BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE REPUBLIC OF THE UPPER VOLTA

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

On the basis of the friendly relations existing between the two countries and their peoples,

Desiring to intensify those relations,

Considering their common interest in encouraging the technical and economic development of their countries, and

Recognizing the benefits to be derived by both States from promotion of the economic and technical development of their countries,

Have agreed as follows:

Article 1. (1) The Contracting Parties shall endeavour to co-operate and assist each other on technical and economic matters.

(2) On the basis of this Agreement, the Parties may conclude arrangements regarding individual projects of economic and technical co-operation.

Article 2. The arrangements referred to in article 1, paragraph 2, above may provide that the Government of the Federal Republic shall, at the request of the Government of the Republic of the Upper Volta:

1. Assist in the establishment of schools, apprentice workshops, training centres and pilot undertakings in the Upper Volta, send German teachers and specialists and provide equipment;
2. With the agreement of the Government of the Upper Volta, entrust experts with the task of making studies for individual projects;
3. Send German experts to the Government of the Upper Volta to carry out special missions and provide them with their requisite professional outfit;
4. Place experts or advisers at the disposal of the Government of the Upper Volta.

Article 3. In accordance with the arrangements concluded under article 1, paragraph 2, above, the Government of the Federal Republic of Germany shall endeavour:

1. To obtain for students of the Upper Volta scholarships at German technical training institutions;
2. To provide instruction for trainees from the Upper Volta in German specialized schools and establishments;
3. To provide training or advanced training for teachers and specialists of the Upper Volta in the Federal Republic of Germany.

¹ Came into force on 30 April 1974, after the Government of the Federal Republic of Germany had been informed by the Government of the Upper Volta of the completion of the conditions required under its international law, in accordance with article 9 (1).

Article 4. The Government of the Republic of the Upper Volta shall:

1. Provide the requisite land for projects to be carried out in its territory. The question of buildings shall in each case be the subject of a particular agreement;
2. Exempt from customs duties and charges, pursuant to the regulations in force in the Upper Volta, articles supplied by the Government of the Federal Republic of Germany for the execution of the various projects;
3. Bear the cost of unloading, transport and insurance, from their first point of unloading in the Upper Volta, of articles supplied for the various projects by the Government of the Federal Republic of Germany;
4. Assume the operational and maintenance costs relating to the projects, except where a special agreement is concluded;
5. Provide at its expense, to the extent possible, the requisite counterpart and auxiliary personnel in each case;
6. Ensure that, after a reasonable period of time, the German specialists are replaced by suitable specialists of the Upper Volta. As far as the latter are to receive training in the Federal Republic of Germany, it shall nominate in good time a sufficient number of candidates for such training. It shall nominate only such candidates as have given an undertaking that they will serve on the relevant project for at least five years upon their return. It shall ensure that the said specialists are appropriately remunerated.

Article 5. The Government of the Republic of the Upper Volta shall:

1. Afford the German specialists and members of their families, and any other persons attached to their households, freedom of entry and departure, at any time and without payment of dues, as well as the requisite work and residence permits;
2. Grant the German specialists exemption from taxes and charges on earnings from their normal activity arising out of this Agreement. If the specialists engage, in the Upper Volta, in any remunerative or profit-making activity not covered by this Agreement, the earnings relating to such activity shall be taxable in the Upper Volta. Taxes and charges levied on behalf of local urban or rural authorities, for example, taxes on weapons, livestock and garbage removal, shall be payable;
3. Except for foodstuffs and beverages, the personal effects or possessions of the German specialists and members of their families and the professional equipment accompanying them at the time of their initial installation shall enjoy entry free of duties and charges except for charges for service rendered, upon entry into the Upper Volta. Such effects and equipment must be brought in at the time of the owner's installation. The Customs Administration shall nevertheless deem this condition fulfilled if the interval between the two events does not exceed six months;
4. Authorize the German specialists and members of their families to import as part of their personal requisites free from customs duties, with the exception of registration and toll charges, foodstuffs, beverages, tobacco and articles of daily use. However, goods admitted duty free shall in no case exceed a value of fifty thousand (50,000) CFA f.o.b. francs per family per month;
5. Provide the German specialists with a document of identification to ensure that national authorities will assist them in the performance of their tasks.

Article 6. (1) The State of the Upper Volta shall assume liability in respect of any damage caused by a German specialist to a third party under the same conditions as for their own agents.

(2) The German specialists shall not be subject to the disciplinary powers of the authorities of the Upper Volta, who may, however, request the recall of a specialist whose behaviour warrants such a measure.

Article 7. The provisions of this Agreement shall likewise apply, without retroactive effect, to those German specialists who, at the time of its entry into force, are already working in the Upper Volta within the framework of technical co-operation with the Government of the Federal Republic of Germany.

Article 8. 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 Republic of the Upper Volta within three months after the entry into force of this Agreement.

Article 9. (1) This Agreement, which annuls and replaces the Agreement of 8 June 1961, shall enter into force when the Government of the Republic of the Upper Volta shall have notified the Embassy of the Federal Republic of Germany that the national requirements for such entry into force in the Upper Volta have been fulfilled; it shall be valid for a period of five years and may be renewed before then should one of the Contracting Parties so desire and following agreement between the two Parties.

(2) This Agreement shall be tacitly renewed for successive periods of one year, unless it is denounced in writing by either Contracting Party three months prior to the expiry of the current period.

(3) After expiry, or in the event of denunciation of this Agreement, its provisions shall continue to apply to technical co-operation projects already begun, until their completion.

DONE at Ouagadougou on 8 August 1973, in quadruplicate, two copies each in the German and French languages, all four texts being equally authentic.

For the Government
of the Federal Republic of Germany:

[Signed]

Dr. SCHMIDT

For the Government
of the Republic of the Upper Volta:

[Signed]

Dr. JOSEPH CONOMBO
Minister for Foreign Affairs