

**No. 18410**

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**FEDERAL REPUBLIC OF GERMANY  
and  
NIGER**

**Agreement concerning financial assistance for the purchase  
of goods (with annex). Signed at Niamey on 22 October  
1977**

*Authentic texts: German and French.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
NIGER**

**Accord d'aide financière pour l'achat de marchandises (avec  
annexe). Signé à Niamey le 22 octobre 1977**

*Textes authentiques : allemand et français.*

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

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE  
REPUBLIC OF THE NIGER CONCERNING FINANCIAL ASSIST-  
ANCE

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

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

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

Aware that the maintenance of these relations constitutes the basis for the present Agreement,

Intending to promote economic and social development in the Republic of 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 raise a loan up to a total of DM 4 million (four million deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the purchase of goods and services to meet current needs in the public sector, as specified in the annex of this Agreement. The supplies and services in question shall be those for which the relevant agreements have been concluded after the present Agreement enters into force.

*Article 2.* Utilization of this loan as well as the terms and conditions on which it is granted shall be governed by the contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; 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 fiscal charges levied in the Republic of 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 free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation, on an equal footing, of transport enterprises which have their principal place of business in the German area of application of this Agreement, and grant the relevant permits that may be necessary for the participation of such transport enterprises.

<sup>1</sup> Came into force on 22 October 1977 by signature, in accordance with article 8.

*Article 5.* Supplies and services for projects financed by the loan shall be subject to international public tender, unless otherwise provided in individual cases.

*Article 6.* The Government of the Federal Republic of Germany attaches particular importance, with regard to supplies and services resulting from the granting of the loan, to preference being given to products of the industry of *Land Berlin*.

*Article 7.* With the exception of those provisions of article 4 which refer to air traffic, 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 Niger within three months after 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 22 October 1977, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:  
JOHANNES REITBERGER

For the Government of the Republic of the Niger:  
BOULAMA MANGA

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

LIST OF GOODS AND SERVICES ELIGIBLE FOR FINANCING FROM THE LOAN UP TO A TOTAL OF DM 4 MILLION (FOUR MILLION DEUTSCHE MARK) UNDER ARTICLE 1 OF THE INTERGOVERNMENTAL AGREEMENT OF 22 OCTOBER 1977

- (a) Materials for dug wells in the department of Niamey and equipment for drilled wells, by arrangement with the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ);
- (b) Transport, insurance and assembly costs (even where expressed in local currency) incurred in the purchase of the above-mentioned materials.

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

The importation of consumer goods for personal needs, especially luxury goods, and of goods and installations serving military purposes, may not be financed from the loan.