

No. 18409

**FEDERAL REPUBLIC OF GERMANY
and
NIGER**

**Agreement concerning financial assistance. Signed at
Niamey on 20 August 1977**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER**

Accord d'aide financière. Signé à Niamey le 20 août 1977

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

AGREEMENT¹ 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 cooperation 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 Niger to raise an additional loan up to a total of DM 13.4 million (thirteen million four hundred thousand deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the “Galmi irrigation project in the Maggia valley”, bringing the total of the loan allocated to that project to twenty million two hundred thousand deutsche mark.

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; such 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 having 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.

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

¹ Came into force on 20 August 1977 by signature, in accordance with article 8.

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 20 August 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:

MOUMOUNI DJERMAKOYE ADAMON
