

No. 18452

**FEDERAL REPUBLIC OF GERMANY
and
GABON**

**Agreement concerning financial co-operation (with annex).
Signed at Libreville on 24 March 1978**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GABON**

**Accord de coopération financière (avec annexe). Signé à
Libreville le 24 mars 1978**

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
GABONESE REPUBLIC CONCERNING FINANCIAL CO-
OPERATION

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

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

Desiring to consolidate and strengthen 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 contribute to economic and social development in the Gabonese Republic,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Gabonese Republic to raise a loan up to a total of DM 29,500,000 (twenty-nine million five hundred thousand Deutsche Mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, to meet foreign exchange costs arising from the purchase of goods and services to cover necessary current civilian requirements.

The said costs must relate to deliveries and services covered by the list annexed to this Agreement and for which delivery or service contracts were concluded after 1 January 1978.

Article 2. The utilization of this loan and the terms and conditions on which it will be granted shall be determined 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 Gabonese Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Gabonese Republic at the time of the conclusion or execution of the contracts referred to in article 2 of this present Agreement.

Article 4. The Government of the Gabonese Republic shall allow passengers and suppliers free choice of transport enterprises for such transportation of passengers and goods by land, sea or air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation on equal terms of transport enterprises having their place of business in the German area of application of this Agreement, and issue the relevant permits that may be required for the participation of such enterprises.

¹ Came into force on 24 March 1978 by signature, in accordance with article 7.

Article 5. With regard to deliveries and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic opportunities provided by *Land Berlin*.

Article 6. With the exception of those provisions of article 4 which refer to air transport, 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 Government of the Gabonese Republic within three months from the date of entry into force of this Agreement.

Article 7. The present Agreement shall enter into force on the date of its signature.

DONE at Libreville on 24 March 1978, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:
Dr. DIETER SIEMES

For the Government of the Gabonese Republic:
MARTIN BONGO

ANNEX TO THE AGREEMENT OF 24 MARCH 1978 BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE GABONESE REPUBLIC CONCERNING FINANCIAL CO-OPERATION

LIST OF GOODS AND SERVICES ELIGIBLE FOR FINANCING FROM THE LOAN UP TO A TOTAL VALUE OF DM 29.5 MILLION (TWENTY-NINE MILLION FIVE HUNDRED THOUSAND DEUTSCHE MARK) UNDER ARTICLE 1 OF THE ABOVE AGREEMENT

- (a) Industrial raw and auxiliary materials as well as semi-manufactures;
- (b) Industrial equipment and agricultural machinery and implements;
- (c) Spare parts and accessories of all kinds;
- (d) Chemical products, in particular fertilizers, plant protection agents, pesticides, medications;
- (e) Other industrial products important for the development of Gabon;
- (f) Consulting services and licence fees;
- (g) Transport, insurance and installation costs incurred in connection with imports of goods financed by the loan, even if incurred in local currency.

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

The import of consumer goods for private requirements, particularly luxury goods, and of goods and equipment for military purposes shall be excluded from financing under the loan.