

No. 18544

**FEDERAL REPUBLIC OF GERMANY
and
SOMALIA**

**Agreement concerning financial co-operation (with annex).
Signed at Mogadiscio on 28 June 1979**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 14 April 1980.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SOMALIE**

**Accord de coopération financière (avec annexe). Signé à
Mogadishu le 28 juin 1979**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 14 avril 1980.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE SOMALI DEMOCRATIC REPUBLIC AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

The Government of the Somali Democratic Republic and the Government of the Federal Republic of Germany,

Having regard to resolution 165 (S-IX) of 11 March 1978² of the Trade and Development Board (UNCTAD) in which the industrialized countries state their readiness to adjust the terms of past official development assistance credits to poorer developing countries, particularly the least developed among them, in order to bring them into line with the currently prevailing softer terms, or to adopt other equivalent measures,

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

Desiring to strengthen and intensify those friendly relations by financial co-operation in a spirit of partnership,

Aware that the maintenance of those relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in the Somali Democratic Republic,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall provide for the loan agreements between the the Government of the Somali Democratic Republic and the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, as listed in the annex to this Agreement, concerning a total of DM 79,543,000 (seventy-nine million five hundred and forty-three thousand deutsche mark), which were concluded on the basis of the intergovernmental agreements also listed in the annex, to be amended to the effect that;

- a) As from 31 December 1978, the loans granted to the Government of the Somali Democratic Republic shall be turned into grants and hence amortization payments and interest payments falling due under the aforementioned loan agreement from that date onwards be remitted;
- b) As from 31 July 1978, commitment charges shall not be made on amounts not disbursed under the aforementioned loan agreements.

(2) By virtue of paragraph 1 above and subject to the agreements to be concluded with the Kreditanstalt für Wiederaufbau (Development Loan Corporation) pursuant to article 3 of this Agreement, amortization payments totalling DM 71,305,000 (seventy-one million three hundred and five thousand deutsche mark), plus interest and commitment charges, shall be waived.

¹ Came into force on 28 June 1979 by signature, in accordance with article 5.

² United Nations Conference on Trade and Development, *Official Records of the Trade and Development Board, Ninth Special Session, Resolution and Decisions, Supplement No. 1 (TD/B/701)*, p. 1.

Article 2. (1) The Government of the Federal Republic of Germany shall enable the Government of the Somali Democratic Republic to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt/Main, financing contributions on a grant basis to replace the loans totalling DM 32,821,778.11 (thirty-two million eight hundred and twenty-one thousand and seven hundred and seventy-eight deutsche mark) committed under:

- a) The intergovernmental agreement of 20 January 1970 (remaining balance DM 96,778.11 (ninety-six thousand seven hundred and seventy-eight deutsche mark));
- b) The Note Verbale of 9 December 1975 (remaining balance DM 3,200,000 (three million two hundred thousand deutsche mark));
- c) The Note Verbale of 29 December 1976 (total amount: DM 5,000,000 (five million deutsche mark));
- d) The Agreed Minutes of 5 February 1978 (remaining balance DM 24,525,000 (twenty-four million five hundred and twenty-five thousand deutsche mark)).

(2) In all other respects the provisions of the intergovernmental agreement referred to in paragraph 1 (a) above shall apply *mutatis mutandis*. Separate intergovernmental arrangements shall be concluded on the financing contributions pursuant to paragraph 1 (b) and (c) above.

Article 3. Further details shall be settled in separate agreements to be concluded between the Government of the Somali Democratic Republic and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 4. 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 Somali Democratic Republic within three months of the date of entry into force of this Agreement.

Article 5. This Agreement shall enter into force on the date of signature thereof.

DONE at Mogadishu on 28 June 1979 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Somali Democratic Republic:

[Signed — Signé]¹

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]²

¹ Signed by Ahmed Habib Ahmed — Signé par Ahmed Habib Ahmed.

² Signed by Metternich — Signé par Metternich.

ANNEX PURSUANT TO ARTICLE 1 OF THE AGREEMENT OF 28 JUNE 1979 BETWEEN THE GOVERNMENT OF THE SOMALI DEMOCRATIC REPUBLIC AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

Article 1 shall apply to the following:

- The intergovernmental agreements of 19 January 1962 (two agreements), 14 April 1963 (four agreements), 28 November 1968, 11 September 1967, 4 May 1973, 29 December 1976¹ and 12 January 1978;²
 - The loan agreements of 16 May 1966, 10 April 1963, 3 June 1965, 13 July 1965 (two agreements), 20 June 1966, 12 May 1969, 25 October 1968, 7 March 1974, 2 February 1977, 17 January 1978.
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¹ United Nations, *Treaty Series*, vol. 1074, p. 157.

² *Ibid.*, vol. 1165, No. I-18446.