

No. 18478

**FEDERAL REPUBLIC OF GERMANY
and
ZAIRE**

**Agreement concerning technical co-operation and training.
Signed at Bonn on 18 March 1969**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
ZAÏRE**

**Accord de coopération technique et de formation. Signé
à Bonn le 18 mars 1969**

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
DEMOCRATIC REPUBLIC OF THE CONGO CONCERNING
TECHNICAL CO-OPERATION AND TRAINING

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

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

Desiring to enhance these relations,

Considering their common interest in furthering the technical and economic progress of their States, and

Recognizing the advantages that will accrue to both States from closer technical co-operation,

Have agreed as follows:

Article 1. The two Governments agree to establish technical co-operation between the two States in accordance with the principles and provisions of this outline Agreement which shall serve as the basis for implementation procedures to be subsequently determined by means of supplementary arrangements.

Article 2. The Government of the Federal Republic of Germany, in agreement with the Government of the Democratic Republic of the Congo and by virtue of the supplementary arrangements referred to in article 1, shall, to the extent that its resources permit:

- (a) Provide assistance for carrying out Congolese national projects, in particular the establishment of schools, workshops for apprentices, training centres and model enterprises, by sending German teachers and specialists and providing equipment;
- (b) Provide the services of experts or specialized groups to conduct specific studies for promoting the economic and social development of the Democratic Republic of the Congo;
- (c) Assign technical advisors to assist the Congolese Government and/or train Congolese administrative and technical executive personnel;
- (d) Award fellowships for technical studies, organize advanced and vocational training courses and train Congolese teachers and specialists.

Article 3. The Government of the Federal Republic of Germany shall defray the travel costs of German personnel outside the Congo.

Article 4. (a) The German personnel referred to in this Agreement shall be subject to the laws and regulations of the Democratic Republic of the Congo.

¹ Applied provisionally from 18 March 1969, the date of signature, and came into force definitively on 9 August 1975, the date of the last of the notifications by which the Contracting Parties had informed each other that the constitutional requirements had been fulfilled, in accordance with article 12.

(b) The methods of co-operation between the German experts and the competent Congolese agencies shall depend on the nature and goals of the different projects and shall be prescribed in the supplementary arrangements.

(c) The role of the German personnel shall be of a purely technical nature. They shall refrain from interfering in the internal or external political affairs of the Democratic Republic of the Congo.

Article 5. Under the supplementary arrangements referred to in article 1, the Government of the Democratic Republic of the Congo shall:

- (a) Provide the German personnel and members of their families with appropriate furnished accommodation;
- (b) Authorize, in the event that the Government of the Federal Republic of Germany provides the Congolese Government or authorities or agencies designated by mutual agreement with machinery, instruments or equipment, the entry of such articles free from customs duties and other fees, from import and export restrictions and from all types of fiscal charges;
- (c) Defray the unloading costs and the transport and insurance costs within its territory in respect of goods provided by the Government of the Federal Republic of Germany for various projects;
- (d) Provide the facilities, materials and Congolese personnel required for operating and maintaining the projects;
- (e) Ensure that the German specialists are replaced, within a reasonable period of time, by appropriate Congolese specialists. To the extent that the specialists are to be trained in the Federal Republic of Germany, it shall in good time designate a sufficient number of candidates to be trained. It shall designate only such candidates as have given an undertaking to serve on the specific project for at least five years upon their return;
- (f) Provide the land and buildings necessary for the projects to be executed in the Democratic Republic of the Congo.

Article 6. Under the supplementary arrangements referred to in article 1, the Government of the Democratic Republic of the Congo shall:

- (a) Grant to the German personnel and members of their families the right to enter and leave the country at any time as well as residence permits free of charge and tax. The German personnel shall also be exempt, in the Congo, from taxes on their salaries paid by the German side;
- (b) Exempt from all customs duties and other fees, from import and export restrictions and from all other fiscal charges the furniture and effects imported by the German personnel and the members of their families, so long as these articles remain their property;
- (c) In addition, accord to the German personnel and the members of their families duty-free entry in respect of medicaments, foodstuffs, beverages and other consumer goods for their personal use.

Article 7. The German personnel referred to in this Agreement shall enjoy immunity from Congolese jurisdiction for acts committed by them in the exercise of their functions.

Article 8. This Agreement and all supplementary arrangements concluded pursuant thereto may be amended by agreement between the two Governments.

Article 9. The representatives of the two Governments shall meet when necessary to review the technical co-operation projects in the light of results.

Article 10. The provisions of this Agreement shall also apply to German specialists who, at the time of its entry into force, are already carrying out an activity in the Democratic Republic of the Congo, within the framework of technical co-operation between the Government of the Democratic Republic of the Congo and the Government of the Federal Republic of Germany.

Article 11. This Agreement shall also apply to *Land Berlin* provided that the Government of the Federal Republic of Germany does not make a declaration to the contrary to the Government of the Democratic Republic of the Congo within three months after its entry into force.

Article 12. This Agreement shall have effect, on a provisional basis, from the date of its signature. Each of the Contracting Parties shall notify the other that the constitutional requirements for the entry into force of this Agreement have been fulfilled. It shall enter into force on the date of the last such notification.

Article 13. This Agreement is concluded for a period of three years from its signature; it shall be renewed on a year-to-year basis by tacit agreement, unless one of the Contracting Parties denounces it three months prior to the expiration of the period concerned.

Article 14. In the event that this Agreement is denounced, its provisions shall continue to apply to the technical co-operation projects already initiated until their completion.

DONE at Bonn on 18 March 1969, in four copies, two in the German and two in the French languages, the four texts being equally authentic.

For the Government of the Federal Republic of Germany:

BRANDT

For the Government of the Democratic Republic of the Congo:

BOMBOKO
