

No. 18522

FEDERAL REPUBLIC OF GERMANY
and
BOTSWANA

Agreement concerning financial co-operation—*Foreign Exchange Costs* (with annex). Signed at Gaborone on 11 December 1978

Authentic texts: German and English.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BOTSWANA

Accord de coopération financière — *Coûts en devises* (avec annexe). Signé à Gaborone le 11 décembre 1978

Textes authentiques : allemand et anglais.

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

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

The Government of the Republic of Botswana and the Government of the Federal Republic of Germany, in the spirit of the friendly relations existing between the Republic of Botswana and the Federal Republic of Germany, desiring to strengthen and intensify those friendly relations through financial co-operation in a spirit of partnership, aware that the maintenance of those relations constitutes the basis of the present Agreement, having regard to their common interest in promoting the economic and social development of their States and peoples, have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Botswana to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a financing contribution up to DM 2,300,000 (two million three hundred thousand deutsche mark) to meet foreign exchange costs resulting from the purchase of goods and services to cover current civilian requirements as well as foreign exchange and local currency costs for transport, insurance and assembly arising in connection with the importation of goods financed from the contribution. These supplies and services must be such as are covered by the list annexed to the present Agreement and for which supply contracts have been concluded after the entry into force of the financing agreement to be concluded pursuant to article 2 of the present Agreement.

Article 2. The utilization of the financing contribution as well as the terms and conditions on which it is granted shall be governed by the provisions of the agreement to be concluded between the Government of the Republic of Botswana and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of Botswana shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Botswana at the time of the conclusion, or during the implementation, of the agreement referred to in article 2 of the present Agreement.

Article 4. The Government of the Republic of Botswana shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods as results from the granting of the contribution, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their place of business in the German area of application of the present Agreement, and grant permits for the participation of such enterprises as required.

Article 5. With regard to supplies and services resulting from the granting of the contribution, the Government of the Federal Republic of Germany attaches par-

¹ Came into force on 11 December 1978 by signature, in accordance with article 7.

ticular importance to preferential use being made of the economic potential of 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 does not make a contrary declaration to the Government of the Republic of Botswana within three months of the date of entry into force of this Agreement.

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

DONE in Gaborone on 11 December 1978 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Republic of Botswana:

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]¹

[Signed — Signé]²

Honourable Vice President and Minister of Finance and Development Planning

Ambassador
of the Federal Republic of Germany

ANNEX TO THE AGREEMENT OF 11 DECEMBER 1978 BETWEEN THE GOVERNMENT OF THE REPUBLIC OF BOTSWANA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL CO-OPERATION

1. List of goods and services eligible for financing from the contribution under article 1 of the intergovernmental Agreement of 11 December 1978:

- a) Spare parts and accessories as well as equipment for the Central Transport Organisation;
- b) Crash tenders for Gaborone airport;
- c) Technical equipment for a windmill.

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

3. The importation of consumer goods for personal needs, especially luxury goods, as well as any goods and facilities serving military purposes, may not be financed from the contribution.

¹ Signed by Q. K. J. Masire — Signé par Q. K. J. Masire.

² Signed by Seeger — Signé par Seeger.