

No. 20226

**FEDERAL REPUBLIC OF GERMANY
and
MANO RIVER UNION**

Agreement regarding technical co-operation (with arrangements). Signed at Freetown on 24 November 1978

Authentic texts of the Agreement: German and English.

Authentic text of the arrangements: English.

Registered by the Federal Republic of Germany on 31 July 1981.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
UNION DU FLEUVE MANO**

Accord relatif à la coopération technique (avec arrangements). Signé à Freetown le 24 novembre 1978

Textes authentiques de l'Accord : allemand et anglais.

Texte authentique des arrangements : anglais.

Enregistré par la République fédérale d'Allemagne le 31 juillet 1981.

AGREEMENT¹ BETWEEN MANO RIVER UNION AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY REGARDING TECHNICAL CO-OPERATION

The Mano River Union and the Government of the Federal Republic of Germany (hereinafter referred to as “the Contracting Parties”),

On the basis of the friendly relations existing between the Contracting Parties,

Considering their common interest in promoting the economic and social progress of the member States of the Mano River Union and of the Federal Republic of Germany, and

Desiring to intensify their relations through technical co-operation in a spirit of partnership,

Have agreed as follows:

Article 1. (1) The Contracting Parties shall co-operate with a view to furthering the economic and social development of the peoples of the member States of the Mano River Union and of the Federal Republic of Germany.

(2) The present Agreement embodies the basic conditions for technical co-operation between the Contracting Parties. The Contracting Parties may conclude supplementary arrangements regarding individual projects of technical co-operation (hereinafter referred to as “project arrangements”). Project arrangements shall define a joint project concept, specifying in particular the project objective, the contributions to be made by the Contracting Parties, the functions and organizational positions of the participants, and the time schedule.

Article 2. (1) Project arrangements may provide for assistance by the Government of the Federal Republic of Germany in the following:

- (a) Training, advisory and research centres as well as other facilities of the Mano River Union;
- (b) Preparation of plans, studies and reports;
- (c) Other areas of co-operation agreed by the Contracting Parties.

(2) Such assistance may

- (a) Include the secondment of experts such as instructors, advisers, consultants, specialists, scientific and technical personnel, project assistants and of auxiliary personnel; all personnel seconded on behalf of the Government of the Federal Republic of Germany will hereinafter be referred to as “seconded experts”;
- (b) Include the supply of material and equipment (hereinafter referred to as “material”);
- (c) Include the basic or further training of Mano River Union technical and managerial personnel as well as scientists in the Republic of Liberia, the Republic of Sierra Leone, the Federal Republic of Germany or other countries; or
- (d) Take some other appropriate form.

¹ Came into force on 22 August 1979, the date of the last of the notifications by which the Contracting Parties notified each other that the conditions for its entry into force had been fulfilled, in accordance with article 9 (2).

(3) The Government of the Federal Republic of Germany shall, unless otherwise provided in the project arrangements, make at its expense the following contributions to assisted projects:

- (a) Remuneration of the seconded experts;
- (b) Accommodation for the seconded experts and their families, insofar as such costs are not met by the experts themselves;
- (c) Official travel by the seconded experts within and outside the Republic of Liberia and the Republic of Sierra Leone;
- (d) Procurement of the material referred to in paragraph 2 (b) above;
- (e) Transport and insurance to the project site for the material referred to in paragraph 2 (b) above; this shall not include payment of the charges and storage fees referred to in Article 3 (b) of the present Agreement;
- (f) Basic or further training of Mano River Union technical and managerial personnel as well as scientists, in accordance with the applicable German guidelines.

(4) Unless otherwise provided in the project arrangements, the material supplied for the projects on behalf of the Government of the Federal Republic of Germany shall become the property of the Mano River Union on arrival in the Republic of Liberia or the Republic of Sierra Leone; the material shall be at the unrestricted disposal of the assisted projects and the seconded experts for the fulfilment of their tasks.

(5) The Government of the Federal Republic of Germany shall notify the Mano River Union of the co-operating agencies, organizations or authorities it will charge with the implementation of its assistance for the respective project. The co-operating agencies, organizations or authorities so charged will hereinafter be referred to as “the implementing agency”.

Article 3. The Mano River Union shall make the following contributions:

It shall

- (a) Provide at its expense for the projects of the Mano River Union in the Republic of Liberia or the Republic of Sierra Leone the land and buildings required, including equipment and furnishings for the buildings insofar as such equipment and furnishings are not supplied by the Government of the Federal Republic of Germany at its expense;
- (b) Ensure that the material supplied for the projects on behalf of the Government of the Federal Republic of Germany is exempted from licences, harbour dues, import and export duties and other public charges, as well as storage fees, and ensure that the material is cleared by customs without delay. The aforementioned exemptions shall, at the request of the implementing agency, also apply to material procured in the Republic of Liberia or the Republic of Sierra Leone;
- (c) Meet the operation and maintenance costs of the project;
- (d) Make available at its expense the Mano River Union experts and the auxiliary personnel required; the project arrangements should include a time schedule for their assignment;
- (e) Ensure that the functions of the seconded experts are taken over as soon as possible by Mano River Union experts. Where the latter are to receive basic or further training in the Republic of Liberia, the Republic of Sierra Leone, the Federal Republic of Germany or other countries pursuant to the present Agreement, it shall in good time nominate, in collaboration with the mission of the Federal

Republic of Germany in Freetown or with experts designated by the mission, sufficient candidates for such training. It shall only nominate such candidates as have given an undertaking to work on the respective project for at least five years after completing their training. It shall ensure that these experts receive appropriate remuneration;

- (f) Recognize, in accordance with their respective standard, examinations passed by Mano River Union experts having received training pursuant to the present Agreement. It shall afford the persons concerned such opportunities with regard to careers, appointments and advancement as are commensurate with their training under this Agreement;
- (g) Afford the seconded experts any assistance they may require in carrying out the tasks assigned to them and make available all necessary records and documents;
- (h) Ensure the provision on schedule of the contributions required to implement the projects, insofar as these are not provided by the Government of the Federal Republic of Germany pursuant to the project arrangements;
- (i) Ensure that all agencies of the Mano River Union, the Republic of Liberia and the Republic of Sierra Leone concerned with the implementation of the present Agreement and the project arrangements are fully informed of their contents in good time.

Article 4. (1) The Government of the Federal Republic of Germany shall ensure that the seconded experts are pledged

- (a) To do their best, within the framework of the arrangements concluded on their work, to help achieve the purposes set forth in Article 55 of the Charter of the United Nations;
- (b) Not to interfere in the internal affairs of the Mano River Union and its member States;
- (c) To respect the laws and customs of the Republic of Liberia and the Republic of Sierra Leone;
- (d) Not to engage in any gainful occupation other than that to which they have been assigned;
- (e) To co-operate in a spirit of mutual confidence with the official agencies of the Mano River Union, the Republic of Liberia and the Republic of Sierra Leone.

(2) The Government of the Federal Republic of Germany shall ensure that, before an expert is seconded, the consent of the Mano River Union is obtained. The implementing agency shall forward the curriculum vitae of the expert selected by it to the Mano River Union together with a request for consent to his secondment. If no notification to the contrary is received from the Mano River Union within two months, consent shall be assumed to have been granted.

(3) If the Mano River Union wishes a seconded expert to be recalled, it shall in good time contact the Government of the Federal Republic of Germany and give the reasons for its request. Similarly, the Government of the Federal Republic of Germany shall, when a seconded expert is to be recalled by the German side, ensure that the Mano River Union is informed thereof at the earliest possible date.

Article 5. (1) The Mano River Union shall ensure that the seconded experts and members of their families belonging to their household receive protection for their person and their property. It shall in particular:

- (a) Grant the persons referred to in the first sentence of this paragraph the privileges and immunities specified in paragraph 1 of the eighth section of the Eighth Protocol of 9 July 1976 to the Mano River Declaration of 3 October 1973;¹
- (b) Assume liability in place of the seconded experts in respect of any damage caused by them in carrying out a task assigned to them in accordance with the present Agreement; any claim against the experts shall to that extent be precluded; the Mano River Union may not assert any claim for compensation against the seconded experts, irrespective of any legal foundation of such claim, unless they have caused the damage wilfully or through gross negligence;
- (c) Ensure that the persons referred to in the first sentence of this paragraph may enter and leave the Republic of Liberia and the Republic of Sierra Leone unhindered at any time;
- (d) Issue to the persons referred to in the first sentence of this paragraph documents of identification referring to the special protection and assistance afforded them by the Mano River Union and its member States.
 - (2) The Mano River Union shall ensure that
 - (a) No taxes or other public charges are levied in the Republic of Liberia or the Republic of Sierra Leone on payments made from funds of the Government of the Federal Republic of Germany to seconded experts for services rendered under the present Agreement; the same shall apply to any payments made to firms carrying out assistance activities within the scope of the present Agreement on behalf of the Government of the Federal Republic of Germany;
 - (b) The persons referred to in the first sentence of paragraph 1 above are permitted to import and export during their stay, duty and tax-free and without providing security, articles intended for their personal use; such articles shall include for each household one motor vehicle, one refrigerator, one deep-freeze, one washing-machine, one cooker, one radio, one television set, one record-player, one tape-recorder and small electrical appliances, as well as for each person one air-conditioner, one heater, one fan and one set of photographic and film equipment; it shall also be permitted to import and export replacements, duty and tax-free and without providing security, for such articles imported as have become unserviceable or been lost;
 - (c) The persons referred to in the first sentence of paragraph 1 above are permitted to import for their personal requirements medicaments, foodstuffs, beverages and other expendable goods;
 - (d) Any necessary visas as well as work and residence permits are issued to the persons referred to in the first sentence of paragraph 1 above, free of charge and without requiring security.

Article 6. The Mano River Union shall ensure by means of appropriate arrangements with its member States, which are annexed hereto and shall constitute an integral part of the present Agreement, that the contributions referred to in Article 3(b) are provided and the privileges and immunities, exceptions and facilities referred to in Article 5 of the present Agreement are granted.

Article 7. The present Agreement shall also apply to projects of technical co-operation begun by the Contracting Parties prior to the entry into force of the present Agreement.

¹ United Nations, *Treaty Series*, vol. 952, p. 265.

Article 8. 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 Mano River Union within three months of the date of entry into force of this Agreement.

Article 9. (1) The conditions for the entry into force of this Agreement are:
(a) The fulfilment of the German national requirements,
(b) The conclusion of the arrangements referred to in Article 6.

(2) Each Contracting Party shall notify the other Contracting Party that the conditions for the entry into force of this Agreement have been fulfilled. The Agreement shall enter into force on the date of the last notification.

(3) The present Agreement shall be valid for a period of five years. Thereafter, it shall be tacitly extended for successive periods of one year, unless it is denounced in writing by either Contracting Party three months prior to the expiry of any such period.

(4) Any projects of technical co-operation begun prior to the expiry of the present Agreement shall remain subject to its provisions after expiry.

DONE at Freetown on 24 November 1978 in duplicate in the English and German languages, both texts being equally authentic.

[Signed — Signé]¹

For the Mano River Union

[Signed — Signé]²

For the Government
of the Federal Republic of Germany

¹ Signed by Ernest Eastman — Signé par Ernest Eastman.

² Signed by Klaus Sommer — Signé par Klaus Sommer.

ARRANGEMENTS

Ref.: 15295/4/Vol.9(3222)

The Ministry of Foreign Affairs of the Republic of Sierra Leone presents its compliments to the Secretariat of the Mano River Union and referring to the latter's Note referenced DSG-1246/H-1/'79, dated 23rd July, 1979 has the honour to affirm that the Government of the Republic of Sierra Leone subscribes to the Agreement between the Mano River Union and the Government of the Federal Republic of Germany regarding technical co-operation signed at Freetown on 24th November, 1978 in duplicate in the English and German languages both texts being equally authentic and particularly Articles 3, 5 and 6 of the said Agreement.

A copy of this Note has been despatched to the Embassy of the Federal Republic of Germany so that the latter may be appropriately informed of the affirmation effected above.

The Ministry of Foreign Affairs of the Republic of Sierra Leone avails itself of this opportunity to renew to the Secretariat of the Mano River Union the assurances of its highest consideration.

Freetown, 25th July, 1979

The Secretariat of the Mano River Union
Freetown

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The Ministry of Foreign Affairs of the Republic of Liberia presents its compliments to the Secretariat of the Mano River Union and has the honour, with reference to the latter's letter No. DSG-1247/H-1/'79 of July 23, 1979, to affirm that the Government of the Republic of Liberia subscribes to the Agreement between the Mano River Union and the Government of the Federal Republic of Germany regarding Technical Cooperation, signed at Freetown on 24th November, 1978 in duplicate in the English and German languages both texts being equally authentic and particularly Articles 3, 5 and 6 of the said Agreement.

The Ministry of Foreign Affairs of the Republic of Liberia hereby submits a copy of this Note with the request that same be forwarded by the Secretariat of the Mano River Union to the Embassy of the Federal Republic of Germany in Sierra Leone in order that the Embassy may be appropriately informed of the affirmation effected above.

The Ministry of Foreign Affairs of the Republic of Liberia seizes this opportunity to renew to the Secretariat of the Mano River Union the assurances of its highest consideration and esteem.

The Secretariat
Mano River Union
Freetown, Sierra Leone

August 15, 1979