

No. 20216

FEDERAL REPUBLIC OF GERMANY
and
NIGER

Agreement concerning financial co-operation—*Loan of 137,900,000 DM (with annex). Signed at Bonn on 13 June 1979*

Authentic texts: German and French.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER

Accord de coopération financière — *Prêt de 137 900 000 DM (avec annexe). Signé à Bonn le 13 juin 1979*

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

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

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

Having regard to Resolution 165 (S-IX) of the Board of the United Nations Conference on Trade and Development of 11 March 1978, in which the industrialized countries declare their willingness to adjust the terms of outstanding official development assistance credits granted 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 Federal Republic of Germany and the Republic of the Niger,

Desiring to consolidate and strengthen these friendly relations through financial co-operation as partners,

Aware that the maintenance of these relations constitutes the basis for the present Agreement,

With a view to contributing to social and economic development in the Niger,
Have agreed as follows:

Article 1. 1. The Government of the Federal Republic of Germany shall make it possible for the loan contracts specified in the annex to this Agreement and concluded with the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt am Main, on the basis of the intergovernmental agreements also specified in the annex, by the Government of the Republic of the Niger or other borrowers chosen jointly by both Governments, for an aggregate of DM 137,900,000 (one hundred and thirty-seven million nine hundred thousand deutsche mark), to be amended to the effect that:

- (a) The loans extended to the Government of the Republic of the Niger will, with effect from 31 December 1978, be converted into grants, and thus the repayments and interest arising from the said loan contracts and falling due as from that date will be cancelled;
- (b) Repayments and interest arising from the loans granted to the Banque de Développement de la République du Niger (BDRN) [Development Bank of the Republic of the Niger] and falling due as from 31 December 1978 will cease to be payable to the Kreditanstalt für Wiederaufbau and will be payable instead, in national currency and with debt-extinguishing effect, to the Government of the Republic of the Niger; and
- (c) Commitment fees on amounts not paid out under these loan contracts will cease to be charged, with effect from 1 July 1978.

¹ Came into force on 13 June 1979 by signature, in accordance with article 5.

2. On the basis of paragraph 1 above and subject to the agreements to be concluded with the Kreditanstalt für Wiederaufbau in accordance with article 3, repayments totalling DM 131,249,000 (one hundred and thirty-one million two hundred and forty-nine thousand deutsche mark), including interest and commitment fees, will be waived.

Article 2. 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Niger to obtain, instead of the loans in the total amount of DM 48,492,321.07 (forty-eight million four hundred and ninety-two thousand three hundred and twenty-one and 07/100 deutsche mark) approved by Note Verbale No. 42 of 5 March 1976 and the minutes of the negotiations of 15 June 1977, financing contributions in the form of grants from the Kreditanstalt für Wiederaufbau, Frankfurt am Main.

2. Concerning the financing contributions referred to in paragraph 1 above, separate intergovernmental arrangements have yet to be concluded.

Article 3. Further details shall be settled in special agreements to be concluded between the Government of the Republic of the Niger and the Kreditanstalt für Wiederaufbau; such agreements shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 4. This Agreement shall also apply to *Land Berlin*, unless the Government of the Federal Republic of Germany makes a contrary declaration to the Government of the Republic of the Niger within three months following the entry into force of the present Agreement.

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

DONE at Bonn on 13 June 1979, in two original copies, each in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

GÜNTHER VAN WELL

For the Government of the Republic of the Niger:

[Signed]

MAHAMANE ANNOU

ANNEX IN ACCORDANCE WITH ARTICLE 1 OF THE AGREEMENT OF 13 JUNE 1979
BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY
AND THE GOVERNMENT OF THE REPUBLIC OF THE NIGER CONCERNING
FINANCIAL CO-OPERATION

Article 1 covers:

- The intergovernmental agreements of: 30 June 1964, 18 March 1968, 16 July 1969, 19 March 1971, 12 May 1976,¹ 15 January 1972, 12 May 1976,² 6 December 1977,³ 30 November 1972, 26 September 1973, 2 April 1974,⁴ 26 October 1974,⁵ 8 November 1975,⁶ 10 February 1977,⁷ 22 October 1977,⁸
 - The loan contracts of: 6 December 1966, 1 December 1965, 3 April 1968, 15 August 1969, 19 March 1971, 24 May 1976, 18 September 1973, 24 May 1976, 7 February 1978, 29 December 1972, 8 July 1976, [8 January 1973],⁹ 10 October 1973, 16 December 1975 (two contracts), 22 January 1975, 25 November 1977, 7 September 1977, 7 February 1978.
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¹ United Nations, *Treaty Series*, vol. 1073, p. 83.

² *Ibid.*, p. 91.

³ *Ibid.*, vol. 1164, No. 1-18413.

⁴ *Ibid.*, vol. 983, p. 125.

⁵ *Ibid.*, vol. 1008, p. 363.

⁶ *Ibid.*, vol. 1073, p. 67 and 75.

⁷ *Ibid.*, vol. 1093, p. 161.

⁸ *Ibid.*, Nos. 1-18410, 1-18411 and 1-18412.

⁹ Text between brackets appears only in the French authentic text — Le texte entre crochets se trouve uniquement dans le texte authentique français.