

No. 21706

FEDERAL REPUBLIC OF GERMANY
and
SOMALIA

Agreement concerning financial co-operation—*Foreign exchange costs of products and services (with annex).*
Signed at Mogadiscio on 11 December 1980

Authentic texts: German, Somali and English.

Registered by the Federal Republic of Germany on 17 March 1983.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SOMALIE

Accord de coopération financière — *Frais en devises afférents à la fourniture de marchandises et de services (avec annexe).* Signé à Mogadishu le 11 décembre 1980

Textes authentiques : allemand, somali et anglais.

Enregistré par la République fédérale d'Allemagne le 17 mars 1983.

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

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

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

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 this Agreement,

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

Have agreed as follows:

Article 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 (Development Loan Corporation), Frankfurt/Main, a financial contribution of up to DM 200,000 (two hundred thousand deutsche mark) to meet foreign exchange costs resulting from the purchase of goods and services to cover current civilian requirements, and to meet foreign exchange and local currency costs of transport, insurance and assembly arising in connection with the importation of goods financed under this Agreement. These supplies and services must be such as are covered by the list annexed to the present Agreement and for which supply of service contracts have been concluded after the signing of the financing agreement to be concluded pursuant to article 2 of the present Agreement.

Article 2. The utilization of the financial contribution as well as the terms and conditions on which it is granted shall be governed by the provisions of the financing agreement 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 3. The Government of the Somali Democratic Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Somali Democratic Republic in connection with the conclusion and implementation of the financing agreement to be concluded pursuant to article 2 of the present Agreement.

Article 4. The Government of the Somali Democratic Republic 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 financial 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

¹ Came into force on 11 December 1980 by signature, in accordance with article 7.

German area of application of this Agreement, and grant any necessary permits for the participation of such enterprises.

Article 5. With regard to supplies and services resulting from the granting of the financial contribution, the Government of the Federal Republic of Germany attaches particular 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 Somali Democratic Republic within three months of the date of entry into force of this Agreement.

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

DONE at Mogadiscio on 11/12/1980 in duplicate in the German, Somali and English languages, all three texts being authentic. In case of divergent interpretations of the German and Somali texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

For the Government
of the Somali Democratic Republic:

[Signed — Signé]²

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE SOMALI
DEMOCRATIC REPUBLIC CONCERNING FINANCIAL CO-OPERATION

1. List of goods and services eligible for financing from the financing contribution under article 1 of the Agreement of 11/12/1980:

- (a) Industrial raw and auxiliary materials as well as semi-manufactures,
- (b) Industrial equipment as well as agricultural machinery and implements,
- (c) Spare parts and accessories of all kinds,
- (d) Chemical products, in particular fertilizers, plant protection agents, pesticides, medicaments,
- (e) Other industrial products of importance for the development of the Somali Democratic Republic,
- (f) Advisory services, patents and licence fees.

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 luxury and consumer goods for personal needs as well as any goods and facilities serving military purposes may not be financed from the financial contribution.

¹ Signed by C. Metternich — Signé par C. Metternich.

² Signed by Mohamed Omar Jama — Signé par Mohamed Omar Jama.