

No. 21680

**FEDERAL REPUBLIC OF GERMANY
and
CONGO**

**Agreement concerning financial co-operation. Signed at
Brazzaville on 23 May 1980**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
CONGO**

**Accord de coopération financière. Signé à Brazzaville le
23 mai 1980**

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF THE CONGO CONCERNING FINAN-
CIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the People's Republic of the Congo,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the People's Republic of the Congo,

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

Aware that the maintenance of those relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in the People's Republic of the Congo,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the People's Republic of the Congo to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the project "Restoration of the Loutété cement plant", a loan of up to DM 9 100 000 (nine million one hundred thousand deutsche mark).

Article 2. The utilization of this loan as well as the terms and conditions on which it is granted shall be governed by the contracts to be concluded between the borrower 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 People's Republic of the Congo shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the People's Republic of the Congo in connection with the conclusion and implementation of the contracts to be concluded pursuant to article 2 of the present Agreement.

Article 4. The Government of the People's Republic of the Congo shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land or air of persons and goods as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation of transport enterprises having their principal place of business in the German area of application of this Agreement and grant any necessary permits for the participation of such transport enterprises.

¹ Came into force on 23 May 1980 by signature, in accordance with article 8.

Article 5. Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, be subject to international public tender.

Article 6. With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic potential of *Land Berlin*.

Article 7. 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 declaration to the contrary to the Government of the People's Republic of the Congo within three months following the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force on the date of its signature.

DONE at Brazzaville on 23 May 1980, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HARALD N. NESTROY

Ambassador Extraordinary and Plenipotentiary
of the Federal Republic of Germany

For the Government of the People's Republic of the Congo:

PIERRE NZE

Member for Foreign Affairs of the Political Bureau,
Minister for Foreign Affairs and Co-operation
