

No. 22267

**FEDERAL REPUBLIC OF GERMANY
and
UPPER VOLTA**

**Agreement concerning financial co-operation (with annex).
Signed at Ouagadougou on 8 May 1979**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 1 August 1983.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
HAUTE-VOLTA**

**Accord de coopération financière (avec annexe). Signé à
Ouagadougou le 8 mai 1979**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 1^{er} août 1983.

[TRANSLATION — TRADUCTION]

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

The Government of the Federal Republic of Germany and the Government of the Republic of the Upper Volta,

Having regard to resolution 165 (S-IX) of 11 March 1978 of the UNCTAD Trade and Development Board, in which the industrialized countries state their readiness to adjust the terms of past official development assistance credits 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 Upper Volta,

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

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

Intending to contribute to social and economic development in the Upper Volta,
Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall arrange for the loan contracts specified in the annex to this Agreement and concluded with the Kreditanstalt für Wiederaufbau (Development 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 Upper Volta or by other borrowers chosen jointly by both Governments, for an aggregate of DM 85,150,000 (eighty-five million one hundred fifty thousand deutsche marks), to be amended to the effect that:

- (a) The loans granted to the Government of the Republic of the Upper Volta shall, with effect from 31 December 1978, be converted into grants, and thus amortization and interest payments falling due under the aforesaid loan contracts from that date onwards shall be remitted;
- (b) Amortization and interest payments falling due as from 31 December 1978 on the loans granted to the Banque nationale de Développement (BND) shall cease to be made to the Kreditanstalt für Wiederaufbau and shall be made instead, in discharge and in national currency, to the Government of the Republic of the Upper Volta; and
- (c) As from 1 July 1978, commitment charges shall not be made on amounts not disbursed under the aforesaid loan contracts.

¹ Came into force on 8 May 1979 by signature, in accordance with article 5.

(2) By virtue of paragraph 1 above and subject to the contracts to be concluded with the Kreditanstalt für Wiederaufbau in accordance with article 3, amortization payments totalling DM 83,318,000 (eighty-three million three hundred eighteen thousand deutsche marks), plus interest payments and commitment charges, shall be waived.

Article 2. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Upper Volta to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, financial contributions on a grant basis to replace the loans totalling DM 86,636,676.50 (eighty-six million six hundred thirty-six thousand six hundred seventy-six deutsche marks and fifty pfennig) committed under:

(a) The intergovernmental agreements of 21 August 1975;¹

(b) Paragraph 2.3 of the record of negotiations of 27 October 1977.

(2) In all other respects the provisions of the intergovernmental agreements referred to in paragraph 1, subparagraph (a), shall apply *mutatis mutandis*. A separate intergovernmental arrangement shall be concluded on the financial contributions pursuant to paragraph 1, subparagraph (b).

Article 3. Further details shall be settled in separate contracts to be concluded between the Government of the Republic of the Upper Volta and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 4. 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 Republic of the Upper Volta within the three months following the date of entry into force of this Agreement.

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

DONE at Ouagadougou on 8 May 1979, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic
of Germany:

[Signed]

BURKHARD RANFT
Chargé d'affaires a.i.

For the Government of the Republic
of the Upper Volta:
The Minister of Plan and Co-operation,

[Signed]

GEORGES SANOGO

¹ United Nations, *Treaty Series*, vol. 1009, p. 293.

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

Article 1 shall apply to:

- The intergovernmental agreements of 8 October 1962, 31 August 1971, 17 April 1974,¹ 18 July 1974,² 21 August 1975 (four agreements), 13 April 1976,³ 23 April 1977,⁴ 16 June 1977;⁵
- The loan contracts of 19 July 1967, 15 September 1971, 18 July 1972, 29 May 1974, 26 September 1974 (two contracts), 28 October 1975 (two contracts), 12 November 1975, 16 November 1976, 7 September 1977 (two contracts), 6 February 1979.

¹ United Nations, *Treaty Series*, vol. 983, p. 187.

² *Ibid.*, vol. 983, p. 197.

³ *Ibid.*, vol. 1073, p. 293.

⁴ *Ibid.*, vol. 1093, p. 215.

⁵ *Ibid.*, vol. 1163, p. 151.