

No. 22456

FEDERAL REPUBLIC OF GERMANY
and
NIGER

Agreement concerning financial co-operation (with annex).
Signed at Niamey on 8 July 1982

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 11 November 1983.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER

Accord de coopération financière (avec annexe). Signé à
Niamey le 8 juillet 1982

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 11 novembre 1983.

[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,

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

Desiring to strengthen and intensify 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 Republic of the Niger,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Niger to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the purpose of financing the foreign-exchange cost of the goods and services provided to cover current civil requirements, and the foreign-exchange and national-currency costs of transport, insurance and assembly incurred in connection with the importation of goods which is financed under this Agreement, a loan of up to DM 818,080.98 (eight hundred and eighteen thousand and eighty deutsche mark).

Such supplies and services shall be from among those specified in the list annexed to this Agreement for which the relevant shipping documents have been delivered after signature of the contract to be concluded as provided for in article 2 of this Agreement.

Article 2. The utilization of the sum referred to in article 1 as well as the terms and conditions on which it is granted shall be governed by the contract to be concluded between the Kreditanstalt für Wiederaufbau, and the Government of the Republic of the Niger, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of the Niger shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of the Niger in connection with the conclusion and implementation of the financing contract referred to in article 2 of this Agreement.

Article 4. The Government of the Republic of the Niger shall allow passengers and suppliers free choice of transport enterprises for such transport by sea or air of persons and goods as results from the granting of the financial contribution, refrain from taking any measures that might exclude or impede the participation

¹ Came into force on 8 July 1982 by signature, in accordance with article 7.

on equal terms of transport enterprises having their place of business in the 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 preference being given to 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 declaration to the contrary to the Government of the Republic of the Niger within the three months following the date of entry into force of this Agreement.

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

DONE at Niamey, on 8 July 1982, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

DÖRR

Chargé d'affaires a.i.

For the Government of the Republic of the Niger:

[Signed]

HALILOU

Acting Minister for Foreign Affairs and Co-operation

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

1. List of goods and services which, under article 1 of the intergovernmental Agreement of 8 July 1982, may be financed from the financial contribution:

- (a) Industrial raw materials and semi-finished products;
- (b) Industrial equipment and agricultural machinery and tools;
- (c) Spare parts and accessories;
- (d) Products of the chemical industry, especially fertilizers, pesticides and insecticides, medicaments;
- (e) Other industrial products of importance for the development of the Upper Volta;
- (f) Advisory services, patents and licence fees.

2. Imported goods not included in this list may be financed only with the prior consent of the Government of the Federal Republic of Germany.

3. Imports of luxury and consumer goods for private use and goods and installations for military purposes shall not be financed from the contribution.