

No. 22983

**FEDERAL REPUBLIC OF GERMANY
and
RWANDA**

**Agreement concerning financial co-operation (with annex).
Signed at Kigali on 28 September 1983**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 20 June 1984.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
RWANDA**

**Accord de coopération financière (avec annexe). Signé à
Kigali le 28 septembre 1983**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 20 juin 1984.

[TRANSLATION — TRADUCTION]

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

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

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

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 Rwandese Republic,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Rwandese Republic to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the following projects:

- (a) Kigali-Ruhengeri highway, up to DM 6,000,000 (six million deutsche mark),
- (b) Support to the Bridges Department (phase 3), up to DM 4,000,000 (four million deutsche mark),
- (c) Unit for the maintenance of asphalt roads (phase 3), up to DM 4,000,000 (four million deutsche mark),
- (d) Funds for studies, up to DM 2,000,000 (two million deutsche mark),
- (e) Integrated rural development project for the NSILI-Kivu communities, up to DM 14,000,000 (fourteen million deutsche mark),
- (f) Power supply for the Gisenyi region, up to DM 3,000,000 (three million deutsche mark),

provided that, after examination, the projects qualify for promotion, financial contributions of up to a total of DM 33,000,000 (thirty-three million deutsche mark).

(2) In addition, the Government of the Federal Republic of Germany shall enable the Government of the Rwandese Republic to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the purpose of financing the foreign-exchange costs of the goods and services provided to cover current civil requirements and the foreign-exchange and national-currency transport, insurance and assembly costs incurred in connection with the importation of goods financed under this Agreement, a financial contribution of up to DM 4,000,000 (four million deutsche mark). Such supplies and services shall be from among those specified in the list

¹ Came into force on 28 September 1983 by signature, in accordance with article 8.

annexed to this Agreement for which the relevant delivery contracts have been completed after the signature of the financing contracts to be concluded pursuant to article 2.

(3) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Rwandese Republic to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further financial contributions for preparing the projects referred to in paragraph 1 of this article or for collateral measures required for the implementation and maintenance of the said projects.

(4) The projects referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Rwandese Republic so agree.

Article 2. Utilization of these financial contributions as well as the terms and conditions on which they are granted shall be governed by the financing contracts to be concluded between the Kreditanstalt für Wiederaufbau and the Government of the Rwandese Republic; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Rwandese Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Rwandese Republic in connection with the conclusion and execution of the contracts referred to in article 2.

Article 4. The Government of the Rwandese Republic shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of passengers and goods as results from the granting of the financial contributions, 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 enterprises.

Article 5. Supplies and services for projects financed from the contributions referred to in article 1, paragraph 1, shall, unless provided for in individual cases, be subject to international public tender. The procurement procedure to be applied for the purpose of implementing the project referred to in article 1, paragraph 1(d), shall be determined in the financing contract to be concluded between the Kreditanstalt für Wiederaufbau and the recipient.

Article 6. With regard to supplies and services resulting from the granting of the contributions, 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 apply also 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 Rwandese Republic within the 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 Kigali, on 28 September 1983, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

Dr. ERIC HARDER

Ambassador of the Federal Republic of Germany

For the Government of the Rwandese Republic:

[Signed]

FR. NGARUKIYINTWALI

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 RWANDESE
REPUBLIC CONCERNING FINANCIAL CO-OPERATION

1. List of goods and services which, under article 1, paragraph 2, of the intergovernmental Agreement of 28 September 1983, may be financed from the financial contribution:

- (a) Industrial raw materials and auxiliary materials and semi-finished products,
- (b) Industrial equipment and agricultural machinery and tools,
- (c) Spare parts and accessories of all kinds,
- (d) Products of the chemical industry, especially fertilizers, pesticides and insecticides, pharmaceutical products,
- (e) Other industrial products of importance for the development of the Rwandese Republic,
- (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.
