

No. 23220

FEDERAL REPUBLIC OF GERMANY
and
BURMA

**Agreement concerning financial co-operation. Signed at
Rangoon on 7 March 1984**

Authentic texts: German, Burmese and English.

Registered by the Federal Republic of Germany on 28 December 1984.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BIRMANIE

**Accord de coopération financière. Signé à Rangoon le
7 mars 1984**

Textes authentiques : allemand, birman et anglais.

Enregistré par la République fédérale d'Allemagne le 28 décembre 1984.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
SOCIALIST REPUBLIC OF THE UNION OF BURMA CONCERN-
ING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Socialist Republic of the Union of Burma,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the Socialist Republic of the Union of Burma,

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 Socialist Republic of the Union of Burma,

With reference to the minutes of 10 February 1984 of the intergovernmental negotiations held in Rangoon,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Socialist Republic of the Union of Burma or another recipient to be determined jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, loans and, as necessary, financial contributions up to a total of DM 80,000,000 (eighty million Deutsche Mark) for the preparation of Financial Co-operation projects as well as for attendant measures required for their implementation and support, if, after examination, the projects have been found eligible for promotion.

(2) The financing funds referred to in paragraph 1 above shall be utilized for the following projects:

- (a) A loan of up to DM 42,000,000 (forty-two million Deutsche Mark) for the rehabilitation of the Thayetmyo cement plant;
- (b) A loan of up to DM 12,000,000 (twelve million Deutsche Mark) for the supply of diesel-powered shunting locomotives;
- (c) A loan of up to DM 10,000,000 (ten million Deutsche Mark) for the supply of spare parts for diesel locomotives and of workshop equipment (project-tied commodity assistance);
- (d) A loan of up to DM 13,000,000 (thirteen million Deutsche Mark) for the power plant section of the Kinda multi-purpose fill dam;
- (e) A financial contribution of up to DM 3,000,000 (three million Deutsche Mark) for the Fund for Studies and Experts II.

(3) The projects referred to in paragraph 2 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Socialist Republic of the Union of Burma so agree.

¹ Came into force on 7 March 1984 by signature, in accordance with article 7.

Financial contributions for preparatory and attendant measures pursuant to paragraphs 1 and 2 above shall be converted into loans in the event that they are not used for such measures.

Article 2. (1) The utilization of the amounts referred to in article 1 of this Agreement, the terms and conditions on which they are made available as well as the procedure to be followed in awarding the contracts shall be governed by the provisions of the agreements to be concluded between the recipient of the loans and financial contributions and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Socialist Republic of the Union of Burma, insofar as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark to be made in fulfilment of the borrowers' liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3. The Government of the Socialist Republic of the Union of Burma shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Socialist Republic of the Union of Burma in connection with the conclusion and implementation of the agreements referred to in article 2 of the present Agreement.

Article 4. (1) The Government of the Socialist Republic of the Union of Burma shall allow, for such transportation by sea or air of persons and goods as results from the granting of the loans and financial contributions, free choice of transport enterprises flying the flag of either the Federal Republic of Germany or the Socialist Republic of the Union of Burma.

(2) Shipping companies flying the flag of the Federal Republic of Germany or of the Socialist Republic of the Union of Burma shall participate on a fair and equal basis in such transportation of goods from the German area of application of this Agreement as results from the granting of the loans and financial contributions. The Government of the Socialist Republic of the Union of Burma shall grant any necessary permits for the participation of shipping companies flying the flag of the Federal Republic of Germany.

Article 5. With regard to supplies and services resulting from the granting of the loans and the financial contributions, 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 Socialist Republic of the Union of Burma 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 Rangoon on 7 March 1984 in duplicate in the German, Burmese and English languages, all three texts being authentic. In case of divergent interpretations of the German and Burmese texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed]

Dr. HELMUT TÜRK
Ambassador

[Signed]

Dr. JÜRGEN WARNKE
Federal Minister
for Economic Co-operation

For the Government
of the Socialist Republic
of the Union of Burma:

[Signed]

THURA U TUN TIN
Deputy Prime Minister
and Minister for Planning and Finance