

No. 23543

FEDERAL REPUBLIC OF GERMANY
and
BURKINA FASO

Agreement concerning financial co-operation (with annex).
Signed at Ouagadougou on 29 June 1984

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 17 September 1985.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BURKINA FASO

Accord de coopération financière (avec annexe). Signé à
Ouagadougou le 29 juin 1984

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 17 septembre 1985.

[TRANSLATION — TRADUCTION]

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

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

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

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Upper Volta to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main,

(a) For the projects:

- Water supply for rural areas I,
- Water supply for Garango and Kombissiri,
- Collateral water-supply measures,
- National Agricultural Credit Fund (CNCA) II,
- Warehouse in the port of Lomé II,
- Road from Banfora to the frontier with the Ivory Coast II,
- Road from Ouagadougou to Kaya and Dori,
- Studies fund II,

financial contributions up to a total of DM 52,000 000 (fifty-two million deutsche mark), provided that, after examination, the projects qualify for promotion;

(b) 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 costs of transport, insurance and assembly incurred in connection with the importation of goods which is 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 annexed to this Agreement and shall be provided after the date on which this Agreement is concluded.

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Republic of Upper

¹ Came into force on 29 June 1984 by signature, in accordance with article 7.

Volta to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further financial contributions for the projects referred to in paragraph 1, subparagraphs (a) and (b), above.

(3) 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 Republic of Upper Volta so agree.

Article 2. Utilization of the amounts referred to in article 1 of this Agreement, the terms and conditions on which they are granted, and the procurement procedure to be applied shall be governed by the financing contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

Article 4. The Government of the Republic of Upper Volta shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of persons 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. With regard to supplies and services resulting from the granting of the financial contributions, 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 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 Republic of Upper Volta 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 Ouagadougou on 29 June 1984, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:
ELIAS

For the Government of the Republic of Upper Volta:
DONDASSE

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

1. List of goods and services which, under article 1, paragraph (1), subparagraph (b), of the intergovernmental Agreement of 29 June 1984, may be financed from the financial contribution:

- (a) Agricultural capital goods;
- (b) Agricultural machinery and tools;
- (c) Spare parts and accessories of all kinds;
- (d) Products of the chemical industry, especially fertilizers, pesticides, insecticides and pharmaceutical products;
- (e) Other industrial products of importance for the rural development of the Republic of Upper Volta.

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 financial contribution.
