

No. 24441

FEDERAL REPUBLIC OF GERMANY
and
BURUNDI

Agreement concerning financial co-operation (with annex).
Signed at Bujumbura on 29 July 1985

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 12 November 1986.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BURUNDI

Accord de coopération financière (avec annexe). Signé à
Bujumbura le 29 juillet 1985

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 12 novembre 1986.

[TRANSLATION — TRADUCTION]

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

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

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

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 Burundi,

Have agreed as follows:

Article 1. 1. The Government of the Republic of Germany shall enable the Government of the Republic of Burundi, and/or other recipients to be selected jointly by the two Governments, to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, financial contributions of up to a total of DM 37 million (thirty-seven million deutsche mark) for the following projects:

- (a) Gitega water supply, phase II;
- (b) Water supply for rural centres, phases II and III;
- (c) Mosso-Buyogoma rural infrastructure;
- (d) Bridge programme, phase II;
- (e) Credit line for the National Economic Development Bank (BNDE) III;
- (f) Fund for studies and experts IV;

provided that, after examination, the projects qualify for promotion.

2. In addition, the Government of the Federal Republic of Germany shall enable the Government of the Republic of Burundi to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, a financial contribution of up to DM 5,000,000 (five million deutsche mark) 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. Such supplies and services shall be from among those specified in the list annexed to this Agreement for which the relevant

¹ Came into force on 29 July 1985 by signature, in accordance with article 7.

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

3. 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 Burundi 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 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 Republic of Burundi so agree.

Article 2. Utilization of the amounts referred to in article 1, paragraphs 1 and 2 of this Agreement, the terms and conditions on which they are granted and the procedure for placing orders shall be governed by the 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 Burundi shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of Burundi in connection with the conclusion and execution of the contracts referred to in article 2 of this Agreement.

Article 4. The Government of the Republic of Burundi 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 referred to in article 1, paragraphs 1 and 2, of this Agreement, 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 referred to in article 1, paragraphs 1 and 2, of this Agreement 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 Burundi 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 Bujumbura, on 29 July 1985, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

I. GRÜNDER

For the Government of the Republic of Burundi:

NZEYIMANA

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

1. List of goods and services which, under article 1, paragraph 2, of the Intergovernmental Agreement of 29 July 1985, 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 Republic of Burundi,
- (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 financial contribution.
