

No. 25136

FEDERAL REPUBLIC OF GERMANY
and
SUDAN

**Agreement concerning financial co-operation (with
exchange of notes of 16 and 17 December 1985). Signed
at Khartoum on 11 September 1985**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 24 July 1987.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SOUDAN

**Accord de coopération financière (avec échange de notes des
16 et 17 décembre 1985). Signé à Khartoum le 11 sep-
tembre 1985**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 24 juillet 1987.

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

The Government of the Democratic Republic of the Sudan and the Government of the Federal Republic of Germany,

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

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 Democratic Republic of the Sudan,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Democratic Republic of the Sudan to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a financial contribution of up to DM 10,600,000 (ten million six hundred thousand Deutsche Mark) for the project "Rural water supply".

Article 2. The utilization of the amount referred to in Article 1 of this Agreement and the terms and conditions on which it is made available, as well as the procedure to be followed in awarding contracts shall be governed by the provisions of the agreement to be concluded between the recipient of the financial contribution and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Democratic Republic of the Sudan shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Democratic Republic of the Sudan in connection with the conclusion and implementation of the agreement referred to in Article 2 of the present Agreement.

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

¹ Came into force on 11 September 1985, the date of signature, in accordance with article 7, as amended by the exchange of notes between the Federal Republic of Germany and the Sudan of 16 and 17 December 1985.

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 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 Democratic Republic of the Sudan within three months of the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force retroactively on the day of its signature, as soon as the Government of the Democratic Republic of the Sudan has notified the Government of the Federal Republic of Germany that the constitutional requirements for its becoming effective have been fulfilled.

DONE at Khartoum on 11 September 1985 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Democratic Republic of Sudan:

[Signed — Signé]¹

For the Government
of the Federal Republic of Germany:

[Signed — Signé]²

¹ Signed by Farouk Abdel Rahman Ahmed — Signé par Farouk Abdel Rahman Ahmed.

² Signed by Zimmermann — Signé par Zimmermann.

EXCHANGE OF NOTES — ÉCHANGE DE NOTES

I

[GERMAN TEXT — TEXTE ALLEMAND]

Bonn, 16. Dezember 1985

Bonn, 16th December, 1985

AUSWÄRTIGES AMT

AUSWÄRTIGES AMT¹

Herr Botschafter,

Excellency,

ich beehre mich, Ihnen im Namen der Regierung der Bundesrepublik Deutschland unter Bezugnahme auf das Protokoll der deutsch-sudanesischen Regierungsverhandlungen vom 07. November 1985 und auf die am 11. September 1985 und am 23. September 1985 geschlossenen Abkommen zwischen unseren beiden Regierungen über Finanzielle Zusammenarbeit vorzuschlagen, diese Abkommen durch folgende Vereinbarung zu ändern:

I have the honour to refer to the Minutes of the German-Sudanese intergovernmental negotiations of 7 November 1985 and to the Agreements concluded on 11² and 23 September 1985³ between our two Governments concerning Financial Co-operation and to propose on behalf of the Government of the Federal Republic of Germany that these Agreements be amended by the following Arrangement.

1. Artikel 7 des Abkommens vom 11. September 1985 soll nunmehr lauten: „Dieses Abkommen tritt am Tage seiner Unterzeichnung in Kraft.“

1. Article 7 of the Agreement of 11 September 1985 shall be amended to read as follows: “This Agreement shall enter into force on the date of signature thereof.”

2. Artikel 7 des Abkommens vom 23. September 1985 soll nunmehr lauten: „Dieses Abkommen tritt am Tage seiner Unterzeichnung in Kraft.“

2. Article 7 of the Agreement of 23 September 1985 shall be amended to read as follows: “This Agreement shall enter into force on the date of signature thereof.”

3. Diese Vereinbarung gilt auch für das Land Berlin, sofern nicht die Regierung der Bundesrepublik Deutschland gegenüber der Regierung der Demokratischen Republik Sudan innerhalb von drei Monaten nach Inkrafttreten der Vereinbarung eine gegenteilige Erklärung abgibt.

3. This Arrangement 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 Democratic Republic of the Sudan within three months of the date of entry into force of this Arrangement.

Falls sich die Regierung der Demokratischen Republik Sudan mit den unter den Nummern 1 bis 3 enthaltenen Vorschlägen einverstanden erklärt, werden

If the Government of the Democratic Republic of the Sudan agrees to the proposals contained in paragraphs 1 to 3 above, this Note and the Note in reply

¹ Ministry of Foreign Affairs.

² See p. 185 of this volume.

³ See p. 195 of this volume.

diese Note und die das Einverständnis Ihrer Regierung zum Ausdruck bringende Antwortnote eine Vereinbarung zwischen unseren beiden Regierungen bilden, die mit dem Datum Ihrer Antwortnote in Kraft tritt.

Genehmigen Sie, Herr Botschafter, die Versicherung meiner ausgezeichnetsten Hochachtung.

[Signed — Signé]

Dr. STRENZIOK

Seiner Exzellenz dem Botschafter der Demokratischen Republik Sudan
Herrn Mirghani Soleiman Khalil
Bonn

thereto expressing your Government's agreement shall constitute an Arrangement between our two Governments, to enter into force on the date of the Note in reply.

Accept, Excellency, the assurance of my highest consideration.

[Signed]

Dr. STRENZIOK

His Excellency
Mr. Mirghani Soleiman Khalil
Ambassador of the Democratic Republic
of the Sudan to the Federal Republic
of Germany
Bonn

II

EMBASSY OF THE DEMOCRATIC REPUBLIC
OF THE SUDAN
BONN

سفارة
جمهورية السودان الديمقراطية
بون

17th December, 1985

SEB/EC/16-2-1

Excellency,

I have the honour to acknowledge receipt of your Note dated 16th of December, 1985, which reads as follows.

[See note I]

I have the honour to express my Government's agreement to the contents of the above Note.

Please accept, Your Excellency, the assurances of my highest consideration.

[Signed]

MIRGHANI SULEIMAN KHALIL
Ambassador

Mr. Reinhard Schlagintweit
Director of Near and Middle East Affairs
Foreign Office
Bonn