

No. 25129

FEDERAL REPUBLIC OF GERMANY
and
ZAIRE

Agreement concerning financial co-operation—*Electricity supply to rural centres I (SNEL I)*. Signed at Kinshasa on 1 March 1985

Authentic texts: German and French.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
ZAÏRE

Accord de coopération financière—*Alimentation en électricité de centres ruraux I (SNEL I)*. Signé à Kinshasa le 1^{er} mars 1985

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE EXECUTIVE COUNCIL OF
THE REPUBLIC OF ZAIRE CONCERNING FINANCIAL CO-
OPERATION

The Government of the Federal Republic of Germany and the Executive Council of the Republic of Zaire,

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

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 Zaire,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Executive Council of the Republic of Zaire to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the projects "Kinshasa urban transport II" and "Electricity supply to rural centres I (SNEL I)", provided that, after examination, the projects qualify for promotion, loans and, if need be, financial contributions for preparing these projects and for collateral measures required for their implementation and maintenance, up to a total of DM 25,000,000 (twenty-five million deutsche mark), as agreed at the 11th meeting of the Germano-Zairian Grand Mixed Commission.

(2) The projects referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Executive Council of the Republic of Zaire so agree. The financial contributions granted for preparatory and collateral measures in accordance with paragraphs 1 and 2 shall be converted into loans if they are not used for such measures.

Article 2. Utilization of the amount referred to in article 1, as well as the terms and conditions on which it is 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 loan; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

¹ Came into force with retroactive effect from 1 March 1985, the date of signature, after the Government of the Republic of Zaire had informed the Government of the Federal Republic of Germany (on 21 February 1986) of the completion of its internal requirements, in accordance with article 7.

Article 4. The Executive Council of the Republic of Zaire shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land and air of persons and goods as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation, on an equal footing, 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 loans, 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 Executive Council of the Republic of Zaire within the three months following the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force retroactively from the date of its signature, as soon as the Executive Council of the Republic of Zaire has notified the Government of the Federal Republic of Germany that the necessary internal requirements for the entry into force of the Agreement have been fulfilled by the Republic of Zaire.

DONE at Kinshasa on 1 March 1985, in two originals, in the German and French languages, both texts being equally authentic.

For the Government
of the Federal Republic of Germany:

WALTER KÖNIG
Ambassador

For the Executive Council
of the Republic of Zaire:

LENGEMA DULIA YUBASA MAKANGA
Secretary of State
for International Co-operation