

No. 26108

**FEDERAL REPUBLIC OF GERMANY
and
BURUNDI**

**Agreement concerning financial cooperation (with annex).
Signed at Bujumbura on 9 November 1987**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 19 July 1988.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BURUNDI**

**Accord de coopération financière (avec annexe). Signé à
Bujumbura le 9 novembre 1987**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 19 juillet 1988.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF BURUNDI CONCERNING FINANCIAL COOP-
ERATION

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 cooperation 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 Federal 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 44,000,000 (forty-four million deutsche mark), for the following projects:

- a) Mosso-Buyogoma rural infrastructure,
- b) Bujumbura-Gitega 110-kv power-supply line,
- c) Nyemanga hydroelectric power station,
- d) Water supply for rural centres,
- e) Bridges over the Ruvubu,
- f) Sectoral water and electricity programme,
- g) Studies and experts fund,

provided that, on examination, the projects are considered deserving of support.

(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 (Development Loan Corporation), Frankfurt am Main, a financial contribution of up to DM 6 million (six million deutsche mark) for the purpose of financing the foreign exchange costs of the goods and services purchased to cover current civil requirements and the foreign exchange and national currency costs of

¹ Came into force on 9 November 1987 by signature, in accordance with article 7.

transport, insurance and assembly incurred in connection with goods imports financed under this Agreement. Such goods and services shall be from among those specified in the list annexed to this Agreement for which the supply or service contracts were concluded after the signature of the financing agreement to be concluded pursuant to article 2.

(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 article 1, paragraph 1, or for collateral measures required for 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

The utilization of the amounts referred to in article 1, paragraphs 1 and 2, the terms and conditions on which they are granted and the procurement procedure to be applied shall be governed by the agreements to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these agreements 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 agreements referred to in article 2.

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, 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, 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

This Agreement shall also apply 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 9 November 1987, in two original copies, each in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[*Signed*]

K. FLITTNER
Ambassador

For the Government of the Republic of Burundi:

[*Signed*]

CYPRIEN MBONIMPA
Minister for Foreign Relations and Cooperation

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF BURUNDI CONCERNING FINANCIAL COOPERATION

1. List of goods and services which, under article 1, paragraph 2, of the intergovernmental agreement of 9 November 1987, may be financed from the financial contribution:

- a)* Industrial raw and auxiliary materials as well as semi-finished products;
- b)* Industrial equipment and agricultural machinery and implements;
- 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 development of the Republic of Burundi;
- f)* Consulting services, patents and royalties.

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.
