

No. 26076

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**FEDERAL REPUBLIC OF GERMANY**  
**and**  
**ZAIRE**

**Agreement concerning financial cooperation. Signed at Kinshasa on 11 March 1986**

*Authentic texts: German and French.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**  
**et**  
**ZAÏRE**

**Accord de coopération financière. Signé à Kinshasa le 11 mars 1986**

*Textes authentiques : allemand et français.*

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

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> 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 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 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, loans for the projects "Lubutu-Osokari Road", "ONATRA V — Locomotives for CFMK", "Drinking Water Supply for Rural Centres — Regideso I" and "Drinking Water Supply for Rural Centres — Regideso II", provided that, on examination, the projects are considered deserving of support, and, if necessary, financial contributions for preparing the projects or for collateral measures required for implementation and maintenance of the projects, up to a total of DM 32,000,000 (thirty-two million deutsche mark), and a financial contribution of DM 2,000,000 (two million deutsche mark) for the project "Creation of a Studies and Experts Fund", as agreed at the 12th meeting of the German-Zairian Mixed Commission.

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Executive Council of the Republic of Zaire to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further loans or financial contributions for preparing the said projects or further financial contributions for collateral measures required for implementation and maintenance of the projects.

(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 Executive Council of the Republic of Zaire so agree. Financial contributions for preparatory and collat-

<sup>1</sup> Came into force retroactively on 11 March 1986, the date of signature, the Government of Zaire having notified the Government of the Federal Republic of Germany (on 3 October 1986) of the completion of the required national procedures, in accordance with article 7.

eral measures within the meaning of paragraph 1 shall be converted into loans if they are not utilized for such measures.

#### Article 2

The utilization of the amounts referred to in article 1, 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 loans and financial contributions; these agreements 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 execution of the agreements referred to in article 2.

#### 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 and air of persons and goods as results from the granting of the loans and financial contributions, refrain from taking any measures that might exclude or impede the participation on equal terms 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 and financial contributions, 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 the provisions of article 4 which relate 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 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 on the date of its signature as soon as the Executive Council of the Republic of Zaire notifies the Government of the Federal Republic of Germany that the national requirements for such entry into force have been fulfilled by the Republic of Zaire.

DONE at Kinshasa on 11 March 1986, 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]*

WALTER KÖNIG  
Ambassador

For the Executive Council of the Republic of Zaire:

*[Signed]*

MOBUTU NYIWA  
Secretary of State for International Cooperation

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