

No. 29649

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**FEDERAL REPUBLIC OF GERMANY  
and  
ORGANIZATION FOR THE DEVELOPMENT  
OF THE SENEGAL RIVER**

**Agreement concerning financial assistance. Signed at Dakar  
on 13 October 1976**

*Authentic texts: German and French.*

*Registered by Germany on 23 March 1993.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
ORGANISATION POUR LA MISE EN VALEUR  
DU FLEUVE SÉNÉGAL**

**Accord d'aide financière. Signé à Dakar le 13 octobre 1976**

*Textes authentiques : allemand et français.*

*Enregistré par l'Allemagne le 23 mars 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE ORGANIZATION FOR THE  
DEVELOPMENT OF THE SENEGAL RIVER CONCERNING  
FINANCIAL ASSISTANCE

The Government of the Federal Republic of Germany and the Organization for the Development of the Senegal River (Organisation pour la Mise en Valeur du Fleuve Sénégal (OMVS)),

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

Desiring to strengthen and enhance these friendly relations through fruitful cooperation in the field of development assistance,

Aware that the maintenance of these relations constitutes the basis of this Agreement,

Intending to contribute to economic and social development in the Senegal Valley,

Have agreed as follows:

*Article 1*

The Government of the Federal Republic of Germany shall enable OMVS to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the joint financing of the Manantali dam, a loan of up to DM 126,000,000 (one hundred and twenty-six million deutsche mark) provided that, after examination, the project qualifies for promotion.

*Article 2*

Utilization of this loan as well as the terms and conditions on which it is granted shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and OMVS; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

*Article 3*

OMVS 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 loan, refrain from taking any measures that might exclude or impede the participation, with equality of rights, 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.

<sup>1</sup> Came into force retroactively on 13 October 1976, the date of signature, after the Organization for the Development of the Senegal River had informed the Government of the Federal Republic of Germany of its approval on 27 April 1981, in accordance with article 8.

#### Article 4

The loan shall be granted on condition that the States members of OMVS guarantee jointly and severally to the Kreditanstalt für Wiederaufbau all payments in discharge of the debtor's liabilities on the basis of the loan contract to be concluded; that they exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges that may be levied in their territory in connection with the conclusion or execution of the contracts referred to in article 2; and that they 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 loan, refrain from taking any measures that might exclude or impede the participation, with equality of rights, 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. The details shall be settled in the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the States members of OMVS.

#### Article 5

Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, be subject to international public tender.

#### Article 6

With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the industrial products of *Land Berlin*.

#### Article 7

With the exception of those provisions of articles 3 and 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 declaration to the contrary to OMVS within three months following the entry into force of this Agreement.

#### Article 8

This Agreement shall enter into force retroactively on the date of signature, as soon as OMVS notifies the Government of the Federal Republic of Germany that it has obtained the approval of the OMVS Council of Ministers required for the entry into force of this Agreement.

DONE at Dakar on 13 October 1976, in two originals, each in the German and French languages, both texts being equally authentic.

For the Government  
of the Federal Republic  
of Germany:

[Illegible]

For the Organization  
for the Development  
of the Senegal River:

[Illegible]