

No. 29667

**FEDERAL REPUBLIC OF GERMANY
and
NIGERIA**

**Agreement concerning financial cooperation. Signed at
Lagos on 11 April 1990**

Authentic texts: German and English.

Registered by Germany on 23 March 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGÉRIA**

**Accord de coopération financière. Signé à Lagos le 11 avril
1990**

Textes authentiques : allemand et anglais.

Enregistré par l'Allemagne le 23 mars 1993.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF NIGERIA AND THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF GERMANY CONCERNING FINAN-
CIAL CO-OPERATION

—

The Government of the Federal Republic of Nigeria
and
the Government of the Federal Republic of Germany,

in the spirit of the friendly relations existing between the Federal
Republic of Nigeria 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
Federal Republic of Nigeria,

have agreed as follows:

Article 1

- (1) The Government of the Federal Republic of Germany shall enable the Government of the Federal Republic of Nigeria or other recipients to be determined jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, a loan for projects yet to be specified if, after examination, the projects have been found eligible for promotion, and, as

¹ Came into force on 11 April 1990 by signature, in accordance with article 7.

necessary, financial contributions for their preparation and for attendant measures required for their implementation and support up to a total amount of DM 60,000,000 (sixty million Deutsche Mark).

- (2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Federal Republic of Nigeria to obtain from the Kreditanstalt für Wiederaufbau further loans or financial contributions for the preparation of the projects or further financial contributions for attendant measures required for their implementation and support.
- (3) The projects yet to be specified may be replaced by other projects if the Government of the Federal Republic of Nigeria and the Government of the Federal Republic of Germany so agree.

Financial contributions for preparatory and attendant measures pursuant to paragraphs 1 and 2 above shall be converted into loans in the event that they are not used for such measures.

Article 2

- (1) 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 for awarding contracts, shall be governed by the provisions of the agreements to be concluded between the recipient of the loan and the financial contributions and the Kreditanstalt für Wiederaufbau, which agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

- (2) The Government of the Federal Republic of Nigeria, insofar as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark to be made in fulfilment of the borrower's liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3

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

Article 4

The Government of the Federal Republic of Nigeria shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods as results from the granting of the loan and the financial contributions, 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.

Article 5

with regard to supplies and services resulting from the granting of the loan and the 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

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 Federal Republic of Nigeria within three months of the date of entry into force of this Agreement.

Article 7

This Agreement shall enter into force on the date of signature thereof.

DONE at Lagos on 11th APRIL 1990


in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Federal Republic of Nigeria:

A handwritten signature in dark ink, appearing to be 'Olu Falae', written in a cursive style.

1

For the Government
of the Federal Republic of Germany:

A handwritten signature in dark ink, appearing to be 'Kremer', written in a cursive style.

2

¹ Chief Olu Falae.

² Leonhard Kremer.