

No. 29666

**FEDERAL REPUBLIC OF GERMANY
and
NIGER**

**Agreement concerning financial cooperation. Signed at
Niamey on 5 April 1990**

Authentic texts: German and French.

Registered by Germany on 23 March 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
NIGER**

**Accord de coopération financière. Signé à Niamey le 5 avril
1990**

Textes authentiques : allemand et français.

Enregistré par l'Allemagne le 23 mars 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF THE NIGER CONCERNING FINANCIAL COOPERATION

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

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

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 the Niger,

Have agreed as follows:

Article 1

1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Niger to obtain from the Kreditanstalt für Weideraufbau (Development Loan Corporation), Frankfurt am Main,

(a) For the projects

— Rehabilitation of irrigated zones II

— Sectoral resource protection and erosion control programme

— Rehabilitation of water supply plants in secondary centres,

financial contributions of up to DM 30,000,000 (thirty-million deutsche mark), provided that, upon examination, the projects are deemed worthy of encouragement, and

(b) To meet the cost of supplying goods and services to cover current civilian needs and the costs of transport, insurance and assembly incurred in connection with the importation of goods financed under this Agreement, a financial contribution of up to DM 5,000,000 (five million deutsche mark). Such supplies and services shall be from among those specified in a list agreed between the Government of the Republic of the Niger and the Government of the Federal Republic of Germany and the relevant supply or service contracts shall have been concluded after 30 November 1989.

2. 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 the Niger to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, financial

¹ Came into force on 5 April 1990 by signature, in accordance with article 7.

contributions for the preparation of the projects specified in paragraph 1, (a) above or financial contributions for attendant measures required for implementation of and follow-up to 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 Government of the Republic of the Niger so agree.

Article 2

Utilization of the amounts referred to in article 1 of this Agreement, as well as the terms and conditions on which it is granted and the procurement procedure to be applied, shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3

The Government of the Republic of the Niger shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Niger in connection with the conclusion and execution of the contracts referred to in article 2 of this Agreement.

Article 4

The Government of the Republic of the Niger 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; it shall refrain from taking any measures that might exclude or impede the participation of transport enterprises having their headquarters in the German area of application of this Agreement and shall 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, the Government of the Federal Republic of Germany attaches particular importance to preference being given to 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 the Niger within three months of the entry into force of this Agreement.

Article 7

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

DONE at Niamey on 5 April 1990, in two originals, in the German and French languages, both texts being equally authentic.

For the Government
of the Federal Republic of Germany:

Dr. WOLFGANG RUNGE
Ambassador

For the Government
of the Republic of the Niger:

MAHAMANE SANI BAKO
Minister for Foreign Affairs
and Cooperation
