

496

15 mars 1978

Action spéciale en faveur des pays en développement

Département de l'économie publique et département politique.
 Proposition commune du 24 février 1978 (annexe)
 Département des finances et des douanes. Co-rapport du
 6 mars 1978 (adhésion)

Conformément à la proposition, le Conseil fédéral

d é c i d e :

1. Les projets des échanges de lettres amendant les accords des crédits de transfert suivants sont approuvés:

- Crédit de transfert à l'Inde du 7 mars 1966
- Crédit de transfert à l'Inde du 9 octobre 1973
- Crédit de transfert au Pakistan du 16 avril 1970

ainsi que les accords d'aide financière suivants:

- Crédit d'aide financière à l'Inde du 9 octobre 1973
- Crédit d'aide financière au Bangladesh du 18 mars 1975
- Crédit d'aide financière au Cameroun du 19 juillet 1975
- Crédit d'aide financière à l'Indonésie du 6 octobre 1973
- Crédit d'aide financière au Kenya du 2 mai 1973
- Crédit d'aide financière au Népal du 6 août 1974.

2. Les pouvoirs de signature à MM. les Ambassadeurs suisses ou leurs suppléants accrédités auprès des pays bénéficiaires de l'Action spéciale sont accordés.

Extrait du procès-verbal:

- | | | | | | | |
|----------|----|------|--------------|------|-----|----------|
| - EVD | 20 | pour | exécution | avec | les | pouvoirs |
| - EPD | 6 | pour | exécution | | | |
| - FZD | 7 | pour | connaissance | | | |
| - EFK | 2 | " | " | | | |
| - FinDel | 2 | " | " | | | |

Pour extrait conforme:
 Le secrétaire,

SAURIT

DEPARTEMENT FEDERAL DE
L'ECONOMIE PUBLIQUE

DEPARTEMENT POLITIQUE
FEDERAL

Berne, le 24 février 1978

Distribué

Au Conseil fédéral

Action spéciale en faveur des pays en
développement

Par cette proposition nous sollicitons votre approbation des projets d'échanges de lettres ci-joints ainsi que les pouvoirs de les signer.

Le 6 décembre 1977, le Conseil national et le Conseil des Etats ont approuvé la proposition du Conseil fédéral concernant la participation de la Suisse à l'Action spéciale en faveur de pays en développement à faible revenu, qui fut adoptée lors de la Conférence de Paris sur la coopération économique internationale. Cette action consiste en la transformation en dons des crédits qui ont été consentis à des pays à faible revenu au titre de l'aide publique et n'ont pas encore été remboursés.

L'Arrêté fédéral du 6 décembre 1977 concernant la participation de la Suisse à l'Action spéciale autorise le Conseil fédéral à conclure les accords nécessaires à la transformation en dons des prêts concernés avec effet au 1er janvier 1978.

Les projets d'échanges de lettres ci-joints ont été approuvés par les autorités compétentes des pays bénéficiaires. Ces textes sont conformes aux projets d'échanges de lettres contenus dans le message concernant l'Action spéciale.

Nous attirons cependant votre attention sur le point suivant :

En ce qui concerne le crédit de transfert octroyé au Pakistan, le montant du prêt transformé en don a dû être augmenté de 0,6 million de francs suisses par rapport à la somme indiquée dans le message du 14 septembre 1977 (de 20,8 à 21,4 millions). Cette modification s'explique pour les raisons suivantes :

Au terme de l'article 1er, al. 2, de l'Arrêté fédéral du 6 décembre 1977, le montant des crédits de transfert déterminant pour la transformation en don est "la part utilisée au 30 juin 1977 de la tranche publique" de ces crédits. Le montant de 20,8 millions de francs indiqué à ce titre dans le message en ce qui concerne le crédit de transfert au Pakistan omettait de tenir compte d'une tranche de ce crédit versée en juin par la banque mais débitée au budget de la Confédération qu'en juillet. La date dont il faut tenir compte est celle du versement Action spéciale en faveur des pays en développement.

En conséquence, la somme totale des crédits transformés en dons n'est plus de 179,2 millions, comme indiqué dans le message, mais de 179,8 millions de francs. Le Parlement n'ayant pas, dans l'Arrêté fédéral, fixé les montants des crédits mixtes à convertir en dons, cette modification peut être décidée par le Conseil fédéral.

L'Administration des finances est d'accord avec cette proposition.

Vu ce qui précède, nous vous

proposons :

1. D'approuver les projets des échanges de lettres amendant les accords des crédits de transfert suivants :

- Crédit de transfert à l'Inde du 7 mars 1966
- Crédit de transfert à l'Inde du 9 octobre 1973
- Crédit de transfert au Pakistan du 16 avril 1970

ainsi que les accords d'aide financière suivants :

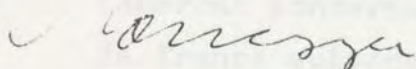
- Crédit d'aide financière à l'Inde du 9 octobre 1973
- Crédit d'aide financière au Bangladesh du 18 mars 1975

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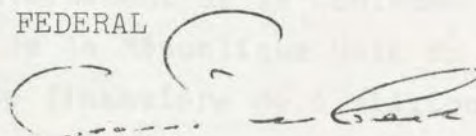
- Crédit d'aide financière à l'Indonésie du 6 octobre 1973
- Crédit d'aide financière au Kenya du 2 mai 1973
- Crédit d'aide financière au Népal du 6 août 1974.

2. D'accorder les pouvoirs de signature à MM. les Ambassadeurs suisses ou leurs Suppléants accrédités auprès des pays bénéficiaires de l'Action spéciale.

DEPARTEMENT FEDERAL DE
L'ECONOMIE PUBLIQUE



DEPARTEMENT POLITIQUE
FEDERAL



Pour co-rapport:

- au Département fédéral des finances et des douanes

Extrait du procès-verbal:

- au Département fédéral de l'économie publique (20), pour exécution
- au Département politique fédéral (5), pour exécution
- au Département fédéral des finances et des douanes (5)
- à la Chancellerie fédérale (5), pour établissement des pouvoirs.

Echange de lettres/projet

Ambassadeur de Suisse

Yaoundé, le

Excellence,

J'ai l'honneur de me référer aux discussions qui ont eu lieu entre les représentants de nos deux gouvernements au sujet de l'Accord entre le Gouvernement de la Confédération suisse et le Gouvernement de la République Unie du Cameroun concernant un prêt d'aide financière de 6 millions de francs suisses, conclu le 19 juillet 1975 et de son protocole d'application.

J'ai également l'honneur de confirmer l'accord suivant auquel nous sommes arrivés à la suite de ces discussions:

1. Le prêt d'aide financière, objet de l'accord susmentionné et de son protocole d'application, est transformé en un don d'aide financière avec effet au 1er janvier 1978.
2. En conséquence, l'accord susmentionné et son protocole d'application seront amendés de la manière suivante, avec effet au 1er janvier 1978:
 - 2.1 Le terme "prêt" est remplacé par le terme "don".
Le terme "Prêteur" est remplacé par le terme "Donateur".
Le terme "Emprunteur" est remplacé par le terme "Donataire".
 - 2.2 Les articles 4, 5 et 6 de l'accord susmentionné sont supprimés.

S.Excellence M.

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Y a o u n d é

2.3 L'article 7 est modifié de la façon suivante:

Le Donataire exemptera le Donateur de toute redevance fiscale ou impôt sur le don ou en relation avec celui-ci.

2.4 Le dernier alinéa de l'article 12 est modifié de la façon suivante:

Si le manquement qui a autorisé le Donateur à suspendre le droit du Donataire de prélever des sommes du don persiste au-delà de soixante jours après notification au Donataire par le Donateur de la suspension de ce droit, le Donateur peut en tout temps retirer au Donataire le solde du don.

3. L'Accord et son protocole d'application ainsi amendés prendront effet au 1er janvier 1978 et resteront en vigueur jusqu'au 19 juillet 1987.

Je vous serais reconnaissant de bien vouloir confirmer l'accord du Gouvernement de la République Unie du Cameroun au sujet de la Convention ci-dessus.

Je saisis cette occasion pour vous renouveler, Excellence, l'assurance de ma haute considération.

L'Ambassadeur de Suisse

DRAFT LETTER

New Delhi,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the Agreement between the Government of the Swiss Confederation and the Government of the Republic of India on the granting of transfer credits of 49,50 million Swiss francs, dated 9 October 1973.

I also have the honour to confirm the following agreement reached as a result of these conversations :

1. The transfer credit financed by the Swiss Government, object of the aforementioned Agreement and of its Protocol of Application between the Government of the Swiss Confederation and the Government of the Republic of India, shall be converted into a grant with effect from 1 January 1978 to the extent of 10'598'157,75 Swiss francs which represent the utilized part of this credit as of 30 June 1977.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978, as follows :
 - 2.1. The title of the Agreement shall be modified and read as follows :

Agreement between the Government of the Swiss Confederation and the Government of the Republic of India on the granting of transfer credits and of a grant.

His Excellency
Mr.

New Delhi

- 2.2. In articles referring to the transfer credit of the Swiss Government, the amount of this transfer Credit is to be read as 14'151'842,25 Swiss francs.
- 2.3. Article 5 of the Agreement shall be modified and read as follows :
- For the partial financing of the supplies of capital goods of a value of 55 million Swiss francs, the Swiss Government shall grant to the Government of India a transfer credit (14'151'842,25 Swiss francs) and a grant (10'598'157,75 Swiss francs) for a total amount of 24.75 million Swiss francs provided that an agreement between the Government of India and a Swiss Bank Consortium shall have been reached with regard to the granting of a transfer credit of the same amount. These transfer credits and grant shall be used exclusively for the financing of Swiss supplies of capital goods in accordance with this Agreement.
- 2.4. In article 6, the words "transfer credits of the Swiss Government" shall be substituted by the words "transfer credits and grant of the Swiss Government".
- 2.5. In the Protocol of Application, the first sentence shall be modified and read as follows :
- The Agreement on transfer credits and the concession of a grant concluded between the Government of the Swiss Confederation and the Government of the Republic of India is supplemented by the following arrangements :
- 2.6. In the Protocol of Application, Clause 1 (b) of first paragraph shall be modified and read as follows :
- After the payment mentioned under a (ii) has been made, the Government of India shall draw half of the amount of Swiss francs from the transfer credit and the grant of the Swiss Government and half of the amount from the transfer credit of the Swiss Banks.

3. The Agreement and its Protocol of Application as amended shall remain in force until the date of the complete refunding of the balance of the credit.

I would be very grateful if you would confirm the acceptance of the Government of the Republic of India to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

New Delhi,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the Agreement between the Government of the Swiss Confederation and the Government of the Republic of India on the granting of transfer credits of 63 million Swiss francs, dated 7 March 1966.

I also have the honour to confirm the following agreement reached as a result of these conversations :

1. The transfer credit financed by the Swiss Government, object of the aforementioned Agreement and of its Protocol of Application between the Government of the Swiss Confederation and the Government of the Republic of India, shall be converted into a grant with effect from 1 January 1978 to the extent of 30'826'424,70 Swiss francs which represent the utilized part of this credit as of 30 June 1977.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978 as follows :
 - 2.1. The title of the Agreement shall be modified and read as follows :

His Excellency

Mr.

New Delhi

Agreement between the Government of the Swiss Confederation and the Government of the Republic of India on the granting of transfer credits and of a grant.

2.2. In articles referring to the transfer credit of the Swiss Government, the amount of this transfer credit is to be read as 673'575,30 Swiss francs.

2.3. Article 5(1) of the Agreement shall be modified and read as follows :

For the partial financing of the supplies of capital goods of a value of 70 million Swiss francs, the Swiss Government shall grant to the Government of India a transfer credit (673'575,30 Swiss francs) and a grant (30'826'424,70 Swiss francs) for a total amount of 31,5 million Swiss francs provided that an agreement between the Government of India and a Swiss Bank Consortium shall have been reached with regard to the granting of a transfer credit of the same amount. These transfer credits and grant shall be used exclusively for the financing of swiss supplies of capital goods in accordance with this Agreement.

2.4. In articles 5(2) and 6, the words "transfer credits of the Swiss Government" shall be substituted by the words "transfer credits and grant of the Swiss Government".

2.5. In the Protocol of Application, the first sentence shall be modified and read as follows :

The Agreement on transfer credits and the concession of a grant concluded between the Government of the Swiss Confederation and the Government of the Republic of India is supplemented by the following arrangements :

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2.6. In the Protocol of Application, Clause 1(b) of first paragraph shall be modified and read as follows :

After the payment mentioned under a(ii) has been made, the Government of India shall draw half of the amount of Swiss francs from the transfer credit and the grant of the Swiss Government and half of the amount from the transfer credit of the Swiss Banks.

3. The Agreement and its Protocol of Application as amended shall remain in force until the date of the complete refunding of the balance of the credit.

I would be very grateful if you would confirm the acceptance of the Government of the Republic of India to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

New Delhi,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the "Agreement between the Government of the Swiss Confederation and the Government of the Republic of India on a Development Loan of 35 million Swiss francs" dated 9 October 1973 and its Protocol of Application.

I furthermore have the honour to confirm the following agreement reached as a result of these conversations :

1. The development loan, object of the aforementioned Agreement and its Protocol of Application, shall be converted into a grant with effect from 1 January 1978.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978 as follows :
 - 2.1. The term "Loan" shall be replaced by the term "Grant".
The term "Lender" shall be replaced by the term "Grantor".
The term "Borrower" shall be replaced by the term "Grantee".
 - 2.2. Articles 4, 5, 6 of the said Agreement shall be abolished.

His Excellency

Mr.

New Delhi

- 2 -

2.3. Article 7 shall be modified and read as follows :

The Grantee shall exempt the Grantor from fiscal levies and taxes of whatever kind on or with regard to the Grant.

2.4. The last paragraph of Article 12 shall be modified and read as follows :

If the default which entitled the Grantor to suspend the Grantee's right to draw against the Grant persists beyond a period of sixty days after the Grantor's notice to the Grantee of the suspension, the Grantor may at any time cancel the remainder of the Grant.

3. The thus amended Agreement and its Protocol of Application shall take effect as from 1 January 1978 and shall remain in force until 9 October 1985.

I would be very grateful if you would confirm the acceptance of your Government to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

Nairobi,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the "Agreement between the Swiss Confederation and the Republic of Kenya on a Development Loan for the Construction and Equipment of the Nairobi Hotel Training College", dated 2 May 1973.

I furthermore have the honour to confirm the following agreement reached as a result of these conversations :

1. The development loan, object of the aforementioned Agreement, shall be converted into a grant with effect from 1 January 1978.
2. The said Agreement shall be amended consequently with effect from 1 January 1978 as follows :
 - 2.1. The term "Loan" shall be replaced by the term "Grant".
 - 2.2. Articles 1, 2, 3.8, 5, 11.2 and schedules I, II, III shall be abolished.
3. The thus amended Agreement shall take effect as from 1 January 1978 and shall remain in force until 1 January 1983.

I would be very grateful if you would confirm the acceptance of your Government to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

His Excellency
Mr.

Nairobi

DRAFT LETTER

Islamabad,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the Agreement between the Government of the Swiss Confederation and the Government of the Islamic Republic of Pakistan on the granting of transfer credits of 45 million Swiss francs, dated 16 April 1970.

I also have the honour to confirm the following agreement reached as a result of these conversations :

1. The transfer credit financed by the Swiss Government, object of the aforementioned Agreement and of its Protocol of Application between the Government of the Swiss Confederation and the Government of the Islamic Republic of Pakistan, shall be converted into a grant with effect from 1 January 1978 to the extent of 21'395'484.05 Swiss francs which represent the utilized part of this credit as of 30 June 1977.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978, as follows :
 - 2.1. The title of the Agreement shall be modified and read as follows :

Agreement between the Government of the Swiss Confederation and the Government of the Islamic Republic of Pakistan on the granting of transfer credits and of a grant.

His Excellency
Mr.

Islamabad

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2.2. In articles referring to the transfer credit of the Swiss Government, the amount is to be read as 1'104'515,95 Swiss francs.

2.3. In the Protocol of Application, the first sentence shall be modified and read as follows :

The Agreement on transfer credits and the concession of a grant concluded between the Government of the Swiss Confederation and the Government of the Islamic Republic of Pakistan is supplemented by the following arrangements:

3. The Agreement and its Protocol of Application as amended shall remain in force until the date of the complete refunding of the balance of the credit.

I would be very grateful if you would confirm the acceptance of the Government of the Islamic Republic of Pakistan to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

Kathmandu,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the "Agreement between the Government of the Swiss Confederation and His Majesty's Government of Nepal on a Development Loan of 15 million Swiss francs" dated 6 August 1974 and its Protocol of Application.

I furthermore have the honour to confirm the following agreement reached as a result of these conversations :

1. The development loan, object of the aforementioned Agreement and its Protocol of Application, shall be converted into a grant with effect from 1 January 1978.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978 as follows :
 - 2.1. The term "Loan" shall be replaced by the term "Grant"; the term "Lender" shall be replaced by the term "Grantor"; the term "Borrower" shall be replaced by the term "Grantee"
 - 2.2. Articles 4, 5 and 6 of the said Agreement shall be abolished.

His Excellency
Mr.

Kathmandu

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2.3. Article 7 shall be modified and read as follows :

The Grantee shall exempt the Grantor from fiscal levies and taxes of whatever kind on or with regard to the Grant.

2.4. The last paragraph of Article 12 shall be modified and read as follows :

If the default which entitled the Grantor to suspend the Grantee's right to draw against the Grant persists beyond a period of sixty days after the Grantor's notice to the Grantee of the suspension, the Grantor may at any time cancel the remainder of the Grant.

3. The thus amended Agreement and its Protocol of Application shall take effect as from 1 January 1978 and shall remain in force until 1 January 1988.

I would be very grateful if you would confirm the acceptance of your Government to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

Jakarta,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the "Agreement between the Government of the Swiss Confederation and the Government of the Republic of Indonesia on a Development Loan of 29 million Swiss francs" dated 6 October 1973 and its Protocol of Application.

I furthermore have the honour to confirm the following agreement reached as a result of these conversations :

1. The development loan, object of the aforementioned Agreement and its Protocol of Application, shall be converted into a grant with effect from 1 January 1978.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978 as follows :
 - 2.1. The term "Loan" shall be replaced by the term "Grant".
The term "Lender" shall be replaced by the term "Grantor".
The term "Borrower" shall be replaced by the term "Grantee".
 - 2.2. Articles 4, 5, 6 of the said Agreement shall be abolished.
 - 2.3. Article 7 shall be modified and read as follows :
The Grantee shall exempt the Grantor from fiscal levies and taxes of whatever kind on or with regard to the Grant.

His Excellency
Mr.

Jakarta

2.4. The last paragraph of Article 12 shall be modified and read as follows :

If the default which entitled the Grantor to suspend the Grantee's right to draw against the Grant persists beyond a period of sixty days after the Grantor's notice to the Grantee of the suspension, the Grantor may at any time cancel the remainder of the Grant.

3. The thus amended Agreement and its Protocol of Application shall take effect as from 1 January 1978 and shall remain in force until 6 October 1985.

I would be very grateful if you would confirm the acceptance of your Government to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland

DRAFT LETTER

Dakka,

Excellency,

I have the honour to refer to conversations which have taken place between representatives of our two Governments relating to the "Agreement between the Government of the Swiss Confederation and the Peoples Republic of Bangladesh on a Development Loan of 20 million Swiss francs" dated 18 March 1975 and its Protocol of Application.

I furthermore have the honour to confirm the following agreement reached as a result of these conversations:

1. The development loan, object of the aforementioned Agreement and its Protocol of Application, shall be converted into a grant with effect from 1 January 1978.
2. The said Agreement and its Protocol of Application shall be amended consequently with effect from 1 January 1978 as follows:
 - 2.1. The term "Loan" shall be replaced by the term "Grant".
The term "Lender" shall be replaced by the term "Grantor".
The term "Borrower" shall be replaced by the term "Grantee".
 - 2.2. Articles 4, 5, 6 of the said Agreement shall be abolished.
 - 2.3. Article 7 shall be modified and read as follows:
The Grantee shall exempt the Grantor from fiscal levies and taxes of whatever kind on or with regard to the Grant.

His Excellency
Mr.

D a k k a

2.4. The last paragraph of Article 11 shall be modified and read as follows:

If the default which entitled the Grantor to suspend the Grantee's right to draw against the Grant persists beyond a period of sixty days after the Grantor's notice to the Grantee of the suspension, the Grantor may at any time cancel the remainder of the Grant.

3. The thus amended Agreement and its Protocol of Application shall take effect as from 1 January 1978 and shall remain in force until 18 March 1987.

I would be very grateful if you would confirm the acceptance of your Government to the foregoing agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

The Ambassador of Switzerland