

No. 16804

**FEDERAL REPUBLIC OF GERMANY
and
TOGO**

**Agreement concerning financial co-operation — *CIMAO*
(*Cement of West Africa*) *Clinker Plant Project*. Signed
at Lomé on 10 June 1977**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 30 June 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TOGO**

**Accord de coopération financière — *Projet « Usine de fabri-
cation de clinkers des Ciments de l'Afrique de l'Ouest »*.
Signé à Lomé le 10 juin 1977**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 30 juin 1978.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING FINANCIAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE TOGOLESE REPUBLIC

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

Considering the friendly relations existing between the Federal Republic of Germany and the Togolese Republic,

Desiring to strengthen and intensify these friendly relations by fruitful co-operation in the field of development assistance,

Being aware that the maintenance of these relations is the basis for the present Agreement,

Purposing to contribute to economic and social development in the Togolese Republic,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Togolese Republic to obtain a loan not exceeding a total of DM 60 million (sixty million Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the project "CIMAO clinker plant"* (Lomé harbour expansion, phase 3).

Article 2. The utilization of this loan and the conditions on which it is granted shall be governed by the contracts to be concluded between the Government of the Togolese Republic and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 3. The Government of the Togolese Republic shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Togolese Republic at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Togolese Republic shall allow passengers and suppliers a free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan; it shall refrain from taking any measures that might exclude or impede the participation, on an equal footing, of transport enterprises which have their headquarters within the German area of application of this Agreement and shall issue any permits that may be necessary for the participation of such transport enterprises.

* CIMAO: Ciments de l'Afrique de l'Ouest. [Cement of West Africa.]

¹ Came into force on 10 June 1977 by signature, in accordance with article 8.

Article 5. Contracts for deliveries and performances relating to projects financed by the loan shall be awarded by international public tender, unless otherwise stipulated in individual cases.

Article 6. The Government of the Federal Republic of Germany is particularly desirous that, for deliveries resulting from the granting of the loan, preference should be given to the products of the industry of *Land Berlin*.

Article 7. With the exception of those provisions of article 4 which relate to air traffic, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Togolese Republic within three months from the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force on the date of its signature.

DONE at Lomé on 10 June 1977, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. W. SELDIS

ALWIN BRÜCK

For the Government of the Togolese Republic:

ED. KODJO
