

No. 18466

**FEDERAL REPUBLIC OF GERMANY
and
HAITI**

**Agreement concerning financial assistance. Signed at Port-
au-Prince on 25 April 1978**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 28 March 1980.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
HAÏTI**

**Accord d'aide financière. Signé à Port-au-Prince le 25 avril
1978**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 28 mars 1980.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF HAITI CONCERNING FINANCIAL ASSISTANCE

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

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

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

Aware that the maintenance of these relations constitutes the basis for the present Agreement,

Intending to promote economic and social development in Haiti,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of Haiti to raise a loan up to a total of DM 6,000,000 (six million Deutsche Mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the "Electrification of Cap-Haïtien" project.

Article 2. (1) Utilization of the loan as well as the terms and conditions on which it is granted shall be governed by the provisions of the agreements to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; such agreements shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Banque centrale d'Haïti shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark in discharge of the borrower's liabilities under the agreements to be concluded pursuant to paragraph 1 of this article.

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

Article 4. The Government of Haiti shall allow passengers and suppliers free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation of transport enterprises having their principal place of business in the German area of application of this Agreement, and grant the relevant permits that may be necessary for the participation of such transport enterprises.

Article 5. Supplies and services for projects financed from the loan shall be subject to international public tender, unless otherwise provided in individual cases.

¹ Came into force on 25 April 1978 by signature, in accordance with article 8.

Article 6. The Government of the Federal Republic of Germany attaches particular importance, with regard to supplies and services resulting from the granting of the loan, to preference being given to the economic opportunities provided by *Land Berlin*.

Article 7. With the exception of those provisions of article 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 contrary declaration to the Government of the Republic of Haiti within three months of 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 Port-au-Prince on 25 April 1978, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

GERHARD SÖHNKE
Ambassador Extraordinary and Plenipotentiary
of the Federal Republic of Germany

For the Government of the Republic of Haiti:

EDNER BRUTUS
Secretary of State for Foreign Affairs and Worship
of the Republic of Haiti

EMMANUEL BROS
Secretary of State for Finance and Economic Affairs
of the Republic of Haiti
