

No. 18536

FEDERAL REPUBLIC OF GERMANY
and
IVORY COAST

**Agreement concerning financial co-operation. Signed at
Abidjan on 24 February 1979**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 14 April 1980.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
CÔTE D'IVOIRE

**Accord de coopération financière. Signé à Abidjan le
24 février 1979**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 14 avril 1980.

[TRANSLATION — TRADUCTION]

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

The Government of the Federal Republic of Germany and the Government of the Republic of the Ivory Coast,

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

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 social and economic development in the Republic of the Ivory Coast,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of the Ivory Coast to raise, with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, loans up to a total of DM 82 million (eighty-two million deutsche mark), apportioned as follows, for the projects mentioned below:

- (a) Water supply for provincial towns III (rural drinking water supply): up to DM 10 million;
- (b) Railway line Abidjan–Anyama: up to DM 10 million;
- (c) Locomotives for the RAN: up to DM 5 million;
- (d) *Complexe légumier*, Bouna: up to DM 10 million;
- (e) Extension of rural electrification: up to DM 35 million;
- (f) SITRAM ship deliveries (up to 10 per cent of the value of the order in each case): up to DM 12 million;

and provided that, upon examination, these projects are found to be eligible for support.

(2) 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 Ivory Coast so agree.

(3) The Government of the Federal Republic of Germany declares that it is prepared in principle, in accordance with the existing domestic guidelines and provided that the other conditions as to coverage are fulfilled, to furnish guarantees for the part of the order not financed by means of financial assistance, namely, a maximum amount of DM 168 million (one hundred and sixty-eight million deutsche mark), in respect of export arrangements entered into by enterprises having their principal place of business in the German area of application of this Agreement for

¹ Came into force on 24 February 1979 by signature, in accordance with article 8.

purposes of the implementation of executing projects (c) to (f) mentioned in paragraph 1 of this article, in accordance with the following list:

- Locomotives for the RAN: up to DM 10 million;
- *Complexe légumier*, Bouna: up to DM 10 million;
- Extension of rural electrification: up to DM 40 million;
- SITRAM ship deliveries: up to DM 108 million.

The following articles of this Agreement shall also apply to loans envisaged in addition to financial assistance, in so far as the Kreditanstalt für Wiederaufbau is the lender.

Article 2. (1) Utilization of these loans as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; such contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Government of the Republic of the Ivory Coast, to the extent that it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark in discharge of the borrowers' liabilities under the loan contracts to be concluded pursuant to paragraph 1 of this article.

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

Article 4. The two Governments shall, for such transportation of passengers and goods by sea and air as results from the granting of the loans, refrain from taking any measures that might exclude or impede the participation, on an equal footing, of regular transport enterprises having their principal place of business in their respective countries, and issue the relevant permits that may be necessary for the participation of such transport enterprises.

Article 5. (1) Deliveries and services for projects (a) and (b) referred to in paragraph 1 of article 1 above and financed from the loans shall, unless otherwise provided in individual cases, be subject to international public tender.

(2) Deliveries and services for projects (c) to (e) referred to in paragraph 1 of article 1 above, in so far as the loans for that purpose are used to guarantee the overall financing of the projects, shall unless otherwise provided in individual cases be subject to international public tender within the limits of the German area of application of this Agreement.

(3) Deliveries and services for project (f) referred to in paragraph 1 of article 1 above, in so far as the loans for that purpose are used to guarantee the overall financing of that project, shall be subject to international public tender within the limits of the German area of application of this Agreement. However, these tenders shall be taken into consideration by the Ivory Coast Party only to the extent that they meet in all points the most competitive bids made to the Government of the Republic of the Ivory Coast within the framework of consultation at the international level.

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 credits, 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 declaration to the contrary to the Government of the Republic of the Ivory Coast within three months after the entry into force of this Agreement.

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

DONE at Abidjan on 24 February 1979, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic
of Germany:

HANSHEINRICH KRUSE

For the Government of the Republic of the Ivory Coast:

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