

No. 20293

**FEDERAL REPUBLIC OF GERMANY
and
TOGO**

**Agreement concerning financial co-operation. Signed at
Lomé on 12 November 1979**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 31 July 1981.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TOGO**

**Accord de coopération financière. Signé à Lomé le 12 no-
vembre 1979**

Textes authentiques: allemand et français.

Enregistré par la République fédérale d'Allemagne le 31 juillet 1981.

[TRANSLATION — TRADUCTION]

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

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

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

Desiring to consolidate and strengthen these friendly relations through financial co-operation as partners,

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

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

Have agreed as follows:

Article 1. 1. The Government of the Federal Republic of Germany shall enable the Government of the Togolese Republic to raise a loan of up to DM 5 million (five million Deutsche Mark) with the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the project of assistance in kind for the programme for the autonomous port of Lomé, provided that on examination it is found to be eligible for support.

2. The project referred to in paragraph 1 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Togolese Republic so agree.

Article 2. The utilization of the loan as well as the terms and conditions on which it is granted shall be governed by the provisions of the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; such contracts shall be subject to the laws and regulations 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 of this Agreement.

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

¹ Came into force on 12 November 1979 by signature, in accordance with article 8.

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

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

Article 7. With the exception of those provisions of article 4 which relate to air transport, this Agreement shall also apply to *Land Berlin*, unless the Government of the Federal Republic of Germany makes a contrary declaration to the Government of the Togolese Republic within three months following the entry into force of the present Agreement.

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

DONE at Lomé on 12 November 1979, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]
Dr. SELDIS

For the Government of the Togolese Republic:

[Signed]
AHIANYO
