

No. 20249

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation. Signed at
Antananarivo on 3 July 1979**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR**

**Accord de coopération financière. Signé à Antananarivo le
3 juillet 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
DEMOCRATIC REPUBLIC OF MADAGASCAR CONCERNING
FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Democratic Republic of Madagascar,

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

Desiring to strengthen and enhance 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 promote social and economic development in the Democratic Republic of Madagascar,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Democratic Republic of Madagascar to raise with the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt am Main, for the project “Improvement of the Ihosy-Sakaraha road (National Road 7)”, a loan of up to DM 36.875 million (thirty-six million eight hundred and seventy-five thousand deutsche mark).

Article 2. Utilization of this loan as well as the terms and conditions on which it is granted shall be governed by the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; the contract shall be subject to the legal provisions applicable in the Federal Republic of Germany.

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

Article 4. The Government of the Democratic Republic of Madagascar 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 on equal terms, 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.

¹ Came into force on 3 July 1979 by signature, in accordance with article 8.

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

Article 6. With regard to deliveries and services resulting from the granting of the loan, 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 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 Democratic Republic of Madagascar 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 Antananarivo on 3 July 1979, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

PETER SCHOLZ

For the Government of the Democratic Republic of Madagascar:

[Signed]

Ch. RICHARD
