

No. 21634

**FEDERAL REPUBLIC OF GERMANY
and
BANGLADESH**

**Agreement concerning financial co-operation (with annex).
Signed at Dacca on 16 October 1980**

Authentic texts: German, Bengali and English.

Registered by the Federal Republic of Germany on 17 March 1983.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BANGLADESH**

**Accord de coopération financière (avec annexe). Signé à
Dacca le 16 octobre 1980**

Textes authentiques : allemand, bengali et anglais.

Enregistré par la République fédérale d'Allemagne le 17 mars 1983.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH CONCERNING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the People's Republic of Bangladesh,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the People's Republic of Bangladesh,

Desiring to strengthen and intensify those friendly relations through financial co-operation in a spirit of partnership,

Aware that the maintenance of those relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in the People's Republic of Bangladesh,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the People's Republic of Bangladesh to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation) Frankfurt/Main, financial contributions of up to DM 120,000,000 (one hundred and twenty million Deutsche Mark).

(2) The financial contributions shall be used as follows:

- (a) Up to DM 60,000,000 (sixty million Deutsche Mark) to meet foreign exchange costs resulting from the purchase of goods and services to cover current civilian requirements, and to meet foreign exchange and local currency costs of transport, insurance and assembly arising in connection with the importation of goods financed under this Agreement. These supplies and services must be such as are covered by the list annexed to the present Agreement and for which supply or service contracts have been concluded after 1 September 1980,
- (b) Up to DM 17,700,000 (seventeen million seven hundred thousand Deutsche Mark) to meet foreign exchange costs resulting from the purchase of fertilizers, if, after examination, the project has been found eligible for promotion,
- (c) Up to DM 2,300,000 (two million three hundred thousand Deutsche Mark) for the construction of fertilizer storehouses, if, after examination, the project has been found eligible for promotion,
- (d) Up to DM 37,500,000 (thirty seven million five hundred thousand Deutsche Mark) for the project "Petroleum Exploration",
- (e) Up to DM 2,000,000 (two million Deutsche Mark) for the project "Bangladesh Shilpa Bank", if, after examination, the project has been found eligible for promotion,
- (f) Up to DM 500,000 (five hundred thousand Deutsche Mark) for a feasibility study fund.

¹ Came into force on 16 October 1980 by signature, in accordance with article 8.

(3) The projects referred to in sub-paragraph 2 (b), (c), (d) and (e) above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the People's Republic of Bangladesh so agree.

Article 2. The utilization of the financial contributions as well as the terms and conditions on which they are granted shall be governed by the provisions of the financing agreements to be concluded between the Government of the People's Republic of Bangladesh and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the People's Republic of Bangladesh shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the People's Republic of Bangladesh in connection with the conclusion and implementation of the financing agreements to be concluded pursuant to article 2 of the present Agreement.

Article 4. The Government of the People's Republic of Bangladesh shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods as results from the granting of the financial contributions, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their place of business in the German area of application of this Agreement, and grant any necessary permits for the participation of such enterprises.

Article 5. Supplies and services for the projects financed from the financial contributions pursuant to article 1 (2) (b), (c), (d) and (e) of the present Agreement shall, unless otherwise provided for in individual cases, be subject to international public tender.

Article 6. With regard to supplies and services resulting from the granting of the financial contributions, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential of 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 People's Republic of Bangladesh 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 signature thereof.

DONE at Dacca on 16 October 1980, in duplicate in the German, Bengali and English languages, all three texts being authentic. In case of divergent interpretations of the German and Bengali texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

[Signed — Signé]²

For the Government
of the People's Republic of Bangladesh:

[Signed — Signé]³

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PEOPLE'S
REPUBLIC OF BANGLADESH CONCERNING FINANCIAL CO-OPERATION

1. List of goods and services eligible for financing from the financing contribution under article 1 (2) (a) of the Agreement of 16 October 1980:

- (a) Industrial raw and auxiliary materials as well as semi-manufactures,
- (b) Industrial equipment as well as agricultural machinery and implements,
- (c) Spare parts and accessories of all kinds,
- (d) Chemical products, in particular plant protection agents and pesticides, medicaments and dyestuffs,
- (e) Means of transport,
- (f) Other industrial products of importance for the development of the People's Republic of Bangladesh,
- (g) Advisory services, patents and licence fees.

2. Imports not included in the above list may only be financed with the prior approval of the Government of the Federal Republic of Germany.

3. The importation of luxury and consumer goods for personal needs as well as any goods and facilities serving military purposes may not be financed from the financial contribution.

¹ Signed by Baron W. v. Marschall — Signé par Baron W. v. Marschall.

² Signed by Dr. Franz Klamser — Signé par Franz Klamser.

³ Signed by Shafiul Alam — Signé par Shafiul Alam.