

No. 21669

FEDERAL REPUBLIC OF GERMANY
and
BENIN

**Agreement concerning financial co-operation. Signed at
Cotonou on 24 April 1980**

**Exchange of notes constituting an agreement amending the
above-mentioned Agreement. Cotonou, 18 March and
23 April 1981**

Authentic texts: German and French.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BÉNIN

**Accord de coopération financière. Signé à Cotonou le
24 avril 1980**

**Échange de notes constituant un accord modifiant l'Accord
susmentionné. Cotonou, 18 mars et 23 avril 1981**

Textes authentiques : allemand et français.

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

[TRANSLATION — TRADUCTION]

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

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

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

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

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

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

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 Benin to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the purpose of promoting the timber and forestry programme, provided that, after examination, the programme qualifies for promotion, a financial contribution of up to DM 4 million (four million deutsche mark).

(2) The programme 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 People's Republic of Benin so agree.

Article 2. Utilization of this contribution as well as the terms and conditions on which it is granted shall be governed by the contract to be concluded between the Kreditanstalt für Wiederaufbau and the Government of the People's Republic of Benin, 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 Benin shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the People's Republic of Benin in connection with the conclusion and execution of the contract referred to in article 2.

Article 4. The Government of the People's Republic of Benin shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of persons and goods as results from the granting of the contribution, 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

¹ Came into force on 24 April 1980 by signature, in accordance with article 8.

application of this Agreement, and grant any necessary permits for the participation of such enterprises.

Article 5. Supplies and services for projects financed from the contribution 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 contribution, the Government of the Federal Republic of Germany attaches particular importance to preference being given to 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 declaration to the contrary to the Government of the People's Republic of Benin within the three months following 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 Cotonou on 24 April 1980 in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

WEINBERGER

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

COOVI PROSPER HOUEDAKO

[TRANSLATION — TRADUCTION]

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BENIN AMENDING THE AGREEMENT CONCERNING FINANCIAL CO-OPERATION OF 24 APRIL 1980²

I

THE AMBASSADOR OF THE FEDERAL REPUBLIC OF GERMANY

Cotonou, 18 March 1981

Sir,

With reference to the Agreement between our two Governments of 24 April 1980 concerning financial co-operation² and pursuant to the note verbale of 5 December 1980, I have the honour to propose to you the following Agreement on behalf of the Government of the Federal Republic of Germany:

- (1) The amount of DM 4 million (four million deutsche mark), referred to in article 1, paragraph 1, of the Agreement concluded between our two Governments on 24 April 1980, shall be increased by DM 2 million (two million deutsche mark) to DM 6 million (six million deutsche mark).
- (2) In all other respects the provisions of the above-mentioned Agreement of 24 April 1980, including the Berlin clause (article 6), shall also apply to this Agreement.

If the Government of the People's Republic of Benin accepts the proposals in paragraphs 1 and 2, this note and your reply expressing the agreement of your Government shall constitute an agreement between our two Governments, to enter into force on the date of your note in reply.

Accept, Sir, etc.

PAPENFUSS

His Excellency Mr. Simon Ifèdé Ogouma
Minister for Foreign Affairs and Co-operation
of the People's Republic of Benin
Cotonou

¹ Came into force on 23 April 1981, the date of the note in reply, in accordance with the provisions of the said notes.

² See p. 305 of this volume.

II

PEOPLE'S REPUBLIC OF BENIN
MINISTRY OF FOREIGN AFFAIRS
AND CO-OPERATION
The Minister

No. 676/M.A.E.C.

23 April 1981

Sir,

On 18 March 1981, you addressed to me a letter the text of which reads as follows:

[See note I]

I have the honour to inform you hereby that the Government of the People's Republic of Benin accepts the proposals in paragraphs 1 and 2 of your letter.

Accept, Sir, etc.

[Signed]

T. GRATIEN CAPO-CHICHI
Acting Minister

The Ambassador of the Federal Republic
of Germany
Cotonou
