

No. 21713

FEDERAL REPUBLIC OF GERMANY
and
DEVELOPMENT BANK FOR
CENTRAL AFRICAN STATES

**Agreement concerning financial co-operation. Signed at
Brazzaville on 12 September 1980**

Authentic texts: German and French.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BANQUE DE DÉVELOPPEMENT DES
ÉTATS DE L'AFRIQUE CENTRALE (BDEAC)

**Accord de coopération financière. Signé à Brazzaville le
12 septembre 1980**

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
DEVELOPMENT BANK FOR CENTRAL AFRICAN STATES CON-
CERNING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Development Bank for Central African States (BDEAC),

In the spirit of the friendly relations existing between the Federal Republic of Germany and BDEAC and the States in its area of operation,

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

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

Intending to contribute to the social and economic development of the States in the areas of operation of BDEAC,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Deutsche Gesellschaft für wirtschaftliche Zusammenarbeit (DEG) mbH (German Economic Co-operation Company) in Cologne to acquire a participation amounting to 1 billion francs CFA in BDEAC, whose head office is in Brazzaville.

To this end, the Government of the Federal Republic of Germany shall make up to DM 4.5 million (four million five hundred thousand deutsche mark) available to DEG.

Article 2. The DEG participation, referred to in article 1 above, shall be governed by the provisions of the BDEAC statutes. It shall be effected by a letter of application signed by DEG. After this letter has been signed and the corresponding amount of capital has been paid, registered share certificates shall be remitted to DEG.

Article 3. All BDEAC operations, including the subscription of capital, the distribution of dividends and of attendance fees, the possible transfer of share certificates and the possible liquidation of BDEAC, shall be effected in francs CFA. In accordance with its statutes, however, BDEAC shall ensure that the Governments of the States in its area of operation:

- (1) Guarantee, with regard to the participation referred to in article 1 above, the free import of all foreign exchange connected with the acquisition of the participation and the free transfer of the receipts therefrom and of the proceeds from the transfer or liquidation;
- (2) Undertake, on their own behalf and on behalf of the banks designated by the Governments to exercise foreign-exchange control, not to impede BDEAC in honouring its payment commitments *vis-à-vis* DEG;

¹ Came into force on 12 September 1980 by signature, in accordance with article 7.

- (3) And that the banks designated by the Governments of the States in the BDEAC area of operation to exercise foreign-exchange control do not impede payment of the proceeds from the transfer by DEG to an acquirer of the participation referred to in article 1 above.

Article 4. Lastly, BDEAC shall, in accordance with its statutes, ensure that the Governments of the States in its area of operation exempt DEG from all taxes and other fiscal charges levied in these States in connection with the acquisition, transfer or liquidation of the participation referred to in article 1 above and with the proceeds therefrom.

Article 5. If the participation referred to in article 1 above is increased through the issue of bonus shares, the guarantees and acceptances undertaken by the Governments of States in the BDEAC area of operation in respect of articles 3 and 4 above shall also apply to the increased participation.

Article 6. 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 BDEAC within three months after the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of its signature.

DONE at Brazzaville on 12 September 1980 in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

HEINZ KOPP
Chargé d'affaires a.i.

For the Development Bank for Central African States:

[Signed]

ENOCH DÉRAND LAKOUE
General Manager
