

No. 21675

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation. Signed at
Antananarivo on 20 May 1980**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR**

**Accord de coopération financière. Signé à Antananarivo le
20 mai 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 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 Government of 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 of this Agreement,

Intending to contribute to social and economic development in the Democratic Republic of Madagascar,

Have agreed as follows:

Article 1. (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 (Development Loan Corporation), Frankfurt am Main, for the projects:

(a) Delivery of trucks (up to DM 5 million: five million deutsche mark);

(b) Delivery of materials for equipping ports (up to DM 5 million: five million deutsche mark),

provided that, after examination, the projects qualify for promotion, loans of up to DM 10 million (ten million deutsche mark).

(2) The project referred to in paragraph 1, subparagraph (b), may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Democratic Republic of Madagascar so agree.

Article 2. Utilization of these loans as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the borrower 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 Democratic Republic of Madagascar shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Democratic Republic of Madagascar in connection with the conclusion and 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 transport by sea and air of persons and goods as results from the granting of the loans, refrain

¹ Came into force on 20 May 1980 by signature, in accordance with article 8.

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 any necessary permits for the participation of such enterprises.

Article 5. Supplies 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 supplies 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 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 Democratic Republic of Madagascar 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 Antananarivo on 20 May 1980, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. PETER SCHOLZ

Ambassador Extraordinary and Plenipotentiary of the Federal Republic of Germany

For the Government of the Democratic Republic of Madagascar:

CHRISTIAN RÉMI RICHARD

Minister for Foreign Affairs of the Democratic Republic of Madagascar
