

No. 21636

**FEDERAL REPUBLIC OF GERMANY
and
DJIBOUTI**

Agreement concerning financial co-operation (with exchange of letters dated 29 May 1980). Signed at Djibouti on 6 February 1980

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
DJIBOUTI**

Accord de coopération financière (avec échange de lettres en date du 29 mai 1980). Signé à Djibouti le 6 février 1980

Textes authentiques : allemand et français.

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

EXCHANGE OF LETTERS — ÉCHANGE DE LETTRES

I

[GERMAN TEXT — TEXTE ALLEMAND]

DER BOTSCHAFTER
DER BUNDESREPUBLIK DEUTSCHLAND
SANA'A

Dschibuti, den 29.5.1980

Herr Minister,

ich beehre mich, Ihnen im Namen der Regierung der Bundesrepublik Deutschland unter Bezugnahme auf das Abkommen zwischen unseren beiden Regierungen vom 6. Februar 1980 über Finanzielle Zusammenarbeit folgende ergänzende Vereinbarung vorzuschlagen:

„Artikel 8. Dieses Abkommen tritt am Tage seiner Unterzeichnung in Kraft.“

Falls sich die Regierung der Republik Dschibuti mit diesem Vorschlag einverstanden erklärt, werden diese Note und die das Einverständnis Ihrer Regierung zum Ausdruck bringende Antwortnote Eurer Exzellenz eine Vereinbarung zwischen unseren beiden Regierungen bilden, die mit dem Datum Ihrer Antwortnote in Kraft tritt.

Genehmigen Sie, Herr Minister, die Versicherung meiner ausgezeichnetsten Hochachtung.

Dr. W.-D. SCHILLING

Seiner Exzellenz dem Minister der
Auswärtigen Angelegenheiten und
Zusammenarbeit der Republik
Dschibuti
Herrn Moumin Bahdon Farah
Dschibuti

[TRADUCTION — TRANSLATION]

L'AMBASSADEUR DE LA RÉPUBLIQUE
FÉDÉRALE D'ALLEMAGNE
SANA'A

Djibouti, le 29 mai 1980

Monsieur le Ministre,

Au nom du Gouvernement de la République fédérale d'Allemagne, j'ai l'honneur de vous proposer, dans le cadre de l'Accord de coopération financière conclu entre nos deux gouvernements le 6 février 1980, l'arrangement complémentaire ci-après :

«Article 8. Le présent Accord entrera en vigueur à la date de sa signature.»

Si cette proposition rencontre l'agrément du Gouvernement de la République de Djibouti, la présente note et la note que vous voudrez bien m'adresser en réponse pour confirmer l'acceptation de votre gouvernement constitueront un accord entre nos deux gouvernements, qui entrera en vigueur à la date de votre réponse.

Veillez agréer, Monsieur le Ministre, etc.

W.-D. SCHILLING

Son Excellence
Monsieur Moumin Bahdon Farah
Ministre des affaires étrangères
et de la coopération
de la République de Djibouti
Djibouti

[TRANSLATION — TRADUCTION]

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF DJIBOUTI CONCERNING FINANCIAL CO-
OPERATION**

The Government of the Federal Republic of Germany and the Government of the Republic of Djibouti,

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

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 Republic of Djibouti,

Have agreed as follows :

Article 1. 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Djibouti to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the project "Djibouti-Tadjoura/Obock Ferry" (project-related aid in goods), provided that, after examination, the project qualifies for promotion, a loan of up to DM 5,000,000 (five million deutsche mark).

2. The project 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 Republic of Djibouti so agree.

Article 2. The 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 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 Republic of Djibouti shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of Djibouti in connection with the conclusion and execution of the contracts referred to in article 2.

Article 4. The Government of the Republic of Djibouti shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land or air of persons and goods as results from the granting of the loan, 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 application of this Agreement and grant any necessary permits for the participation of such enterprises.

¹ Came into force on 6 February 1980 by signature, in accordance with article 8.

Article 5. Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, be subject to public tender exclusively within the German area of application of this Agreement.

Article 6. With regard to supplies 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 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 Republic of Djibouti within the three months following the date of entry into force of this Agreement.

DONE at Djibouti on 6 February 1980 in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

SCHILLING

For the Government of the Republic of Djibouti:

MOUMIN BAHDON FARAH

EXCHANGE OF LETTERS

I

THE AMBASSADOR OF THE FEDERAL REPUBLIC OF GERMANY
SANA'A

Djibouti, 29 May 1980

Sir,

With reference to the Agreement between our two Governments of 6 February 1980 concerning financial co-operation, I have the honour to propose the following supplement on behalf of the Government of the Federal Republic of Germany:

“*Article 8.* This Agreement shall enter into force on the date of its signature.”

If the Government of the Republic of Djibouti accepts this proposal, this note and your reply expressing the acceptance of your Government shall constitute an agreement between our two Governments, which shall enter into force on the date of your note in reply.

Accept, Sir, etc.

Dr. W.-D. SCHILLING

His Excellency the Minister
for Foreign Affairs and Co-operation
of the Republic of Djibouti
Mr. Moumin Bahdon Farah
Djibouti

II

REPUBLIC OF DJIBOUTI
Unity–Equality–Peace

THE MINISTER FOR FOREIGN AFFAIRS
AND CO-OPERATION

Djibouti, 29 May 1980

Sir,

I have the honour to acknowledge receipt of your letter of 29 May 1980 relating to the Agreement concerning financial co-operation signed by our two Governments on 6 February 1980.

The Government of the Republic of Djibouti hereby approves the supplement to the said Agreement, as follows:

“*Article 8.* This Agreement shall enter into force on the date of its signature.”

As suggested in your letter of above reference, the supplement to the Agreement concerning financial co-operation signed on 6 February 1980 shall enter into force with effect from today’s date.

Accept, Sir, etc.

BARKAT GOURAT HAMADOU
Prime Minister
and Minister for Foreign Affairs
and Co-operation a.i.

His Excellency Mr. Schilling
Ambassador
Embassy of the Federal Republic of Germany
Sana’a