

No. 21738

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation (with annex).
Signed at Antananarivo on 27 March 1981**

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 (avec annexe). Signé à
Antananarivo le 27 mars 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
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 Democratic Republic of Madagascar,

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 Madagascar,
Have agreed as follows:

Article 1. With reference to note verbale no. 05562 of the Ministry of Foreign Affairs of the Democratic Republic of Madagascar, dated 14 April 1978, 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 purpose of financing the foreign-exchange costs of the goods and services provided to cover current civil requirements, and the foreign-exchange and national-currency costs of transport, insurance and assembly, incurred in connection with the financed importation of goods, a loan of up to a total of DM 2,845,000 (two million eight hundred and forty-five thousand deutsche mark). Such supplies and services shall be from among those specified in the list annexed to this Agreement for which the relevant delivery contracts were concluded after 1 January 1981.

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 Government of the Democratic Republic of Madagascar 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 implementation of the contracts referred to in article 2 of this Agreement.

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 financial contribution, refrain from taking any measures that might exclude or impede the

¹ Came into force on 27 March 1981 by signature, in accordance with article 7.

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.

Article 5. 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 6. 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 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 Antananarivo, on 27 March 1981, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

PETER SCHOLZ

For the Government of the Democratic Republic of Madagascar:

[Signed]

C. R. RICHARD

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE DEMOCRATIC
REPUBLIC OF MADAGASCAR CONCERNING FINANCIAL CO-OPERATION

(1) List of goods and services which, under article 1 of the intergovernmental Agreement of 27 March 1981, may be financed from the loan:

- (a) industrial raw materials and auxiliary materials and semi-finished products,
- (b) industrial equipment, agricultural machinery and tools and construction machinery,
- (c) spare parts and accessories of all kinds,
- (d) products of the chemical industry, including fertilizers, plant health products and insecticides, pharmaceutical products,
- (e) other industrial products of importance for the development of Madagascar.

(2) Imported goods not included in this list may be financed only with the prior consent of the Government of the Federal Republic of Germany.

(3) Imports of luxury and consumer goods for private use and goods and installations for military equipment purposes shall not be financed from the loan.