

No. 23136

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation (with annex).
Signed at Antananarivo on 28 October 1983**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 8 November 1984.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR**

**Accord de coopération financière (avec annexe). Signé à
Antananarivo le 28 octobre 1983**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 8 novembre 1984.

[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. 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 transport, insurance and assembly costs incurred in connection with the importation financed under this Agreement, a loan of up to DM 5,000,000 (five million 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 have been concluded after signature of the contracts to be concluded under article 2.

Article 2. 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 Kreditanstalt für Wiederaufbau and the Government of the Democratic Republic of Madagascar, 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 conclusions 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 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.

Article 5. The procedure for placing the orders shall be laid down in the contracts to be concluded under article 2 between the Kreditanstalt für Wiederaufbau and the borrower.

¹ Came into force on 28 October 1983 by signature, in accordance with article 8.

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 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 28 October 1983, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

ROUETTE

For the Government of the Democratic Republic of Madagascar:

RAKOTOMAVO PASCAL

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 28 October 1983, may be financed from the loan:

- (a) Replacement parts for machinery and vehicles supplied by the Federal Republic of Germany (especially for the agricultural and transport sector)
- (b) Industrial raw materials and auxiliary materials and semi-finished products.

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

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