

No. 23551

FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR

**Agreement concerning financial co-operation. Signed at
Antananarivo on 20 September 1984**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 17 September 1985.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR

**Accord de coopération financière. Signé à Antananarivo
le 20 septembre 1984**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 17 septembre 1985.

[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 these relations constitutes the basis of this Agreement,

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

Having regard to the Record of the results of the intergovernmental negotiations of 6 May 1982, item 7.1, and of 4 July 1984, item 2.1.1,

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 obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, a loan for the project "Betsiboka rice project" and a financial contribution up to a total of DM 29,600,000 (twenty-nine million, six hundred thousand deutsche mark) for the preparatory and collateral measures required for implementation and maintenance of the project.

The amount of 29,600,000 deutsche mark shall consist of a loan of DM 20,100,000 (twenty million, one hundred thousand deutsche mark) and a financial contribution of DM 9,500,000 (nine million, five hundred thousand deutsche mark).

Furthermore, the amounts of approximately DM 600,000 (six hundred thousand deutsche mark) not utilized in phase I of the project (Arrangement concerning financial co-operation confirmed by the exchange of notes of 18 December 1981/14 January 1982 in respect of DM 3,200,000 (three million, two hundred thousand deutsche mark)) may be utilized as a financial contribution for collateral measures.

The total of DM 32,800,000 (thirty-two million, eight hundred thousand deutsche mark) shall thus be available for the project (pilot project and main project).

Article 2. Utilization of the amount referred to in article 1 of this Agreement, as well as the terms and conditions on which it is provided and the procurement procedure to be applied shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the loan and financial contribution; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

¹ Came into force on 20 September 1984 by signature, in accordance with article 7.

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 loan and financial contribution, 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. With regard to supplies and services resulting from the granting of the loan and financial contribution, 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 apply also 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 7. This Agreement shall enter into force on the date of its signature.

DONE at Antananarivo, on 20 September 1984, 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:

RAMELISON YVES
