

No. 23512

FEDERAL REPUBLIC OF GERMANY
and
COSTA RICA

Agreement concerning financial co-operation. Signed at San José on 30 September 1983

Authentic texts: German and Spanish.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
COSTA RICA

Accord de coopération financière. Signé à San José le 30 septembre 1983

Textes authentiques : allemand et espagnol.

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 COSTA
RICA CONCERNING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Republic of Costa Rica,

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

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 Costa Rica,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Costa Rica, or other borrowers to be designated jointly by the two Governments, to raise loans of up to a total of DM 19,000,000 (nineteen million deutsche mark) with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main.

(2) The purpose of the loans shall be to finance the following projects:

- (a) A loan of up to DM 2,500,000 (two million five hundred thousand deutsche mark) for the project "Harbour workshop in Puerto Limón";
- (b) Loans of up to a total of DM 16,500,000 (sixteen million five hundred thousand deutsche mark) for projects still to be specified, provided that, after examination, the projects qualify for promotion.

(3) The projects still to be specified pursuant to paragraph (2), subparagraph (b), may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Republic of Costa Rica so agree.

Article 2. (1) Utilization of the sums referred to in article 1 as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the borrower; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Republic of Costa Rica, in so far as it is not itself a borrower, shall stand surety *vis-à-vis* the Kreditanstalt für Wiederaufbau for all deutsche mark payments to be made in discharge of obligations incumbent on the borrower under the contracts to be concluded as provided for in paragraph 1.

¹ Came into force on 2 January 1985, the date on which the Government of Costa Rica notified the Government of the Federal Republic of Germany of the completion of the required internal procedures, in accordance with article 8.

Article 3. The Government of the Republic of Costa Rica shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of Costa Rica in connection with the conclusion and in the Republic of Costa Rica in connection with the conclusion and implementation of the contracts referred to in article 2.

Article 4. The Government of the Republic of Costa Rica 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 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. 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 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 Republic of Costa Rica within the three months following the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force the date on which the Republic of Costa Rica notifies the Federal Republic of Germany that the internal requirements for its entry into force have been fulfilled on the part of Costa Rica.

DONE at San José on 30 September 1983, in two originals, in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HANS-DIETRICH GENSCHER
Federal Minister for Foreign Affairs

For the Government of the Republic of Costa Rica:

FERNANDO VOLIO JIMÉNEZ
Minister for Foreign Affairs and Public Worship