

No. 23560

**FEDERAL REPUBLIC OF GERMANY
and
THAILAND**

**Agreement concerning financial co-operation. Signed at
Bangkok on 27 December 1984**

Authentic texts: German, Thai and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
THAÏLANDE**

**Accord de coopération financière. Signé à Bangkok le 27 dé-
cembre 1984**

Textes authentiques : allemand, thaï et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE KINGDOM OF THAILAND CONCERNING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Kingdom of Thailand,

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

Desiring to strengthen and intensify those friendly relations through financial co-operation in a spirit of partnership,

Aware that the maintenance of those relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in the Kingdom of Thailand,

With reference to the Record of Discussions of 26 July 1984 of the intergovernmental negotiations held in Bonn,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Thailand or other recipients to be determined jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, loans up to a total of DM 36,000,000 (thirty-six million Deutsche Mark) and, as necessary, a financial contribution of up to DM 4,000,000 (four million Deutsche Mark) for preparatory and attendant project implementation and support measures, the total amount of DM 40,000,000 (forty million Deutsche Mark) to be provided as follows if, after examination, the projects listed below have been found eligible for promotion:

- (a) Water supply Udon Thani — a loan of up to DM 21,800,000 (twenty-one million eight hundred thousand Deutsche Mark);
- (b) Industrial Finance Corporation of Thailand, credit line VI — a loan of up to DM 7,000,000 (seven million Deutsche Mark);
- (c) Procurement of workshop equipment and cranes for the Thai State Railways — a loan of up to DM 4,400,000 (four million four hundred thousand Deutsche Mark);
- (d) Procurement of special waggons for the Thai State Railways — a loan of up to DM 2,800,000 (two million eight hundred thousand Deutsche Mark);
- (e) Fund for studies and experts — a financial contribution of up to DM 4,000,000 (four million Deutsche Mark).

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Kingdom of Thailand to obtain from the Kreditanstalt für Wiederaufbau further loans or financial contributions for the preparation of the projects referred to in paragraph 1 above or

¹ Came into force on 27 December 1984 by signature, in accordance with article 7.

further financial contributions for attendant measures required for their implementation and support.

(3) The projects referred to in paragraph 1 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Kingdom of Thailand so agree.

Financial contributions for preparatory and attendant measures pursuant to paragraphs 1 and 2 above shall be converted into loans in the event that they are not used for such measures.

Article 2. (1) The utilization of the amounts referred to in Article 1 of this Agreement and the terms and conditions on which they are made available as well as the procedure to be followed in awarding the contracts shall be governed by the provisions of the agreements to be concluded between the recipients of the loans and the financial contribution and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Kingdom of Thailand, insofar as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark to be made in fulfilment of the borrowers' liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3. The Government of the Kingdom of Thailand shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Kingdom of Thailand in connection with the conclusion and implementation of the agreements referred to in Article 2 of the present Agreement.

Article 4. The Government of the Kingdom of Thailand shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea, land or air of persons and goods as results from the granting of the loans and the financial contributions, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their 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 loans and the financial contributions, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of 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 contrary declaration to the Government of the Kingdom of Thailand within three months of the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of signature thereof.

DONE at Bangkok on 27 December 1984 in duplicate in the German, Thai and English languages, all three texts being authentic. In case of divergent interpretations of the German and Thai texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed]

HANS CHRISTIAN LANKES
Ambassador of the Federal
Republic of Germany

For the Government
of the Kingdom of Thailand:

[Signed]

Air Chief Marshal
SIDDHI SAVETSILA
Minister of Foreign Affairs