

No. 24425

FEDERAL REPUBLIC OF GERMANY
and
GUINEA

Agreement concerning financial co-operation (with annex).
Signed at Conakry on 15 April 1985

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 12 November 1986.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GUINÉE

Accord de coopération financière (avec annexe). Signé à
Conakry le 15 avril 1985

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 12 novembre 1986.

[TRANSLATION — TRADUCTION]

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

The Government of the Federal Republic of Germany and the Government of the Republic of Guinea,

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

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 Guinea,

With reference to the intergovernmental negotiations held in Bonn on 10 and 11 November 1983 and in Conakry from 16 to 19 October 1984,

Have agreed as follows:

Article 1. 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Guinea to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, financial contributions of up to a total of DM 31,000,000 (thirty-one million deutsche mark), for the following projects:

- (a) Up to DM 16,000,000 (sixteen million deutsche mark) for "Water supply for provincial towns", provided that, after examination, the project qualifies for promotion;
- (b) Up to DM 8,000,000 (eight million deutsche mark) in increased funding for "Power supply for the city of Conakry";
- (c) Up to DM 3,000,000 (three million deutsche mark) 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 of goods financed under this Agreement (Aid for goods III), in accordance with the agreement on the terms and conditions of utilization recorded in the minutes of the negotiations held in Conakry on 18 October 1984. 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 completed after the signature of the financing contract to be concluded pursuant to article 2 of this Agreement;

¹ Came into force on 15 April 1985 by signature, in accordance with article 7.

- (d) Up to DM 2,000,000 (two million deutsche mark) for a sectoral programme (Aid in goods for specific sectors), provided that, after examination, the project qualifies for promotion;
- (e) Up to DM 2,000,000 (two million deutsche mark) for the creation of a fund for studies and experts for the preparation and execution of financial co-operation projects.

2. This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Republic of Guinea to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further financial contributions for preparing the projects referred to in paragraph 1 of this article or for collateral measures required for the implementation and maintenance of the projects.

3. The projects referred to in paragraph 1 subparagraphs (a) and (d), may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Republic of Guinea so agree.

Article 2. Utilization of the amounts referred to in article 1 of this Agreement, the terms and conditions on which they are granted and the procedure for placing orders shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

Article 4. The Government of the Republic of Guinea 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 contributions, 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 financial contributions, 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 Republic of Guinea 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 Conakry on 15 April 1985, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

PETER TRUHART

For the Government of the Republic of Guinea:

FACINET TOURÉ

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

- (1) List of goods and services which, under article 1, paragraph 1 (c), of the intergovernmental Agreement of 15 April 1985, may be financed from the financial contribution:
- (a) Up to DM 1,500,000 (one million five hundred thousand deutsche mark) for the purchase of spare parts for the diesel-fueled power plant at Tombo;
 - (b) Up to DM 1,500,000 (one million five hundred thousand deutsche mark) for the purchase of spare parts for the urban transport companies (minibus fleet).
- (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 purposes shall not be financed from the financial contribution.
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