

No. 24419

**FEDERAL REPUBLIC OF GERMANY
and
TOGO**

**Agreement concerning financial co-operation. Signed at
Bonn on 29 October 1985**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TOGO**

**Accord de coopération financière. Signé à Bonn le 29 oc-
tobre 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
TOGOLESE REPUBLIC CONCERNING FINANCIAL CO-
OPERATION

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

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

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 support the structural adjustment programme of the Government and to contribute thereby to social and economic development in Togo,

Referring to the donors' conference which was held from 26 to 28 June 1985 in Lomé and to paragraph 3.1 of the record of the intergovernmental consultations between the German and Togolese Governments of 1 July 1985,

Have agreed as follows:

Article 1. 1. The Government of the Federal Republic of Germany shall enable the Government of the Togolese Republic to obtain, from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for a sectoral programme entitled "Rural development and transportation" in conjunction with structural adjustment loans from the International Development Association (IDA) financial contribution of up to DM 16,500,000 (sixteen million five hundred thousand deutsche mark) provided that, after examination, the project qualifies for promotion.

2. This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Togolese Republic to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, a further financial contribution for preparation of the project or for collateral measures required for the implementation and maintenance of the project.

3. The project referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Togolese Republic so agree.

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

¹ Came into force on 29 October 1985 by signature, in accordance with article 7.

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

Article 4. The Government of the Togolese Republic 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 contribution, refrain from taking any measures that might exclude or impede the participation on equal terms 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 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 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 Togolese Republic within 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 Bonn on 29 October 1985, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

JÜRGEN WARNKE

[ANDREAS MEYER-LANDRUT]

For the Government of the Togolese Republic:

KOFFI AMEGA
